

5707. Also, petition of James D. Canarie and 5,000 citizens of Boston, West End, Mass., opposing the Smith-Towner bill; to the Committee on Education.

5708. Also, petition of Commonwealth Trust Co., of Boston, Mass., and the Submarine Signal Co., of Boston, Mass., favoring the passage of the Nolan bill; to the Committee on Patents.

5709. By Mr. TINKHAM: Petition of Cumann NaGael Council, American Association for the recognition of the Irish republic, and the Michael Davitt, of the same association, both of Boston, Mass., protesting against the deportation of Lord Mayor O'Callaghan, and against the British army of occupation in Ireland; to the Committee on Immigration and Naturalization.

5710. By Mr. THOMPSON: Petition of Hicksville Chamber of Commerce, of Hicksville, Ohio, urging a protective tariff of not less than 12 cents per dozen on imported shell eggs and other eggs and poultry; to the Committee on Ways and Means.

5711. By Mr. ZIHLMAN: Petition of Baltimore Automobile Dealers' Association; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, February 12, 1921.

(Legislative day of Wednesday, February 9, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

RIVER AND HARBOR IMPROVEMENTS, 1921 (S. DOC. NO. 384).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the Secretary of War submitting a supplemental estimate of appropriation in the sum of \$362,140.98 required by the War Department for modifications and readjustments of contracts, river and harbor improvements, fiscal year 1921, which was referred to the Committee on Appropriations and ordered to be printed.

WAR MINERALS RELIEF CLAIMS (S. DOC. NO. 385).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior transmitting, in response to Senate resolution 420, a complete list showing all claims filed or presented under section 5 of the act of March 2, 1919 (40 Stat., 1272, 1274), and showing the names of claimants, the amounts of their claims and when filed, all claims which have been allowed and the amounts thereof, and all claims disallowed and the amounts thereof and the reasons for the disallowance of each; also copies of legal constructions placed upon the above-mentioned act by the Secretary of the Interior, the Attorney General, the Solicitor for the Interior Department, and the Comptroller of the Treasury, which was ordered to lie on the table.

Mr. ROBINSON. I move that the report of the Secretary of the Interior giving certain information regarding the relief of mineral claimants be printed as a Senate document.

The motion was agreed to.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a resolution of the Legislature of Utah, which was referred to the Committee on Finance, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, H. E. CROCKETT, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of S. C. M. No. 1, petitioning the Congress of the United States to place increased import duties on lead, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 4th day of February, 1921.

[SEAL.]

H. E. CROCKETT,
Secretary of State.

S. C. M. No. 1, by Mr. Jenkins, petitioning the Congress of the United States to place increased import duties on lead.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and Legislature of the State of Utah, respectfully represent that—

Whereas the production of lead is an important industry of the United States and in the State of Utah affords employment to thousands of persons directly, and indirectly to thousands of others; and

Whereas the market price of lead has receded to the level that existed before the World War, while production costs remain and will remain indefinitely much higher, in consequence of which many mines in this and other States have been compelled to suspend production and others to curtail production, thus depriving thousands of persons of employment; and

Whereas the present import duties on lead are insufficient to enable the United States producers to operate under the working conditions and standards of living to which American miners are accustomed and entitled: Now, therefore,

The governor and Legislature of the State of Utah respectfully petition that import duties on lead be increased as soon as possible in amount sufficient to enable domestic producers to resume and continue operations.

The foregoing memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 1st day of February, 1921.

THOMAS E. MCKAY,
President of Senate.

Attest:

Q. B. KELLY,
Secretary of Senate.

The foregoing memorial was publicly read by title and immediately thereafter signed by the speaker of the house, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 2d day of February, 1921.

E. R. CALLISTER,
Speaker of the House.

Attest:

C. R. BRADFORD,
Chief Clerk of House.

Received from the senate this 3d day of February, 1921.
Approved February 3, 1921.

CHAS. R. MABEY, Governor.

Received from the governor and filed in the office of the secretary of state this 4th day of February, 1921.

H. E. CROCKETT,
Secretary of State.

The VICE PRESIDENT laid before the Senate a resolution of the Legislature of Utah, which was referred to the Committee on Irrigation and Reclamation of Arid Lands as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, H. E. CROCKETT, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of S. C. M. No. 2, a memorial to the President and Congress of the United States relating to a proposed Federal reclamation project on Green River in the State of Utah, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 4th day of February, 1921.

[SEAL.]

H. E. CROCKETT,
Secretary of State.

S. C. M. No. 2. By committee on agriculture. A memorial to the President and Congress of the United States relating to a proposed Federal reclamation project on Green River in the State of Utah.

To the President and the Congress of the United States:

Your memorialists, the governor and Legislature of the State of Utah respectfully represent:

That the Reclamation Department of the Federal Government has appropriated 4,000 second-feet of water to be diverted from Green River at a point near the confluence of Coal Creek and the Green River to be used for reclaiming approximately 564,000 acres of land in San Rafael and Green River Valleys in the State of Utah;

That the climate in said valleys is ideal for the production of fruits and agricultural crops;

That the land to be reclaimed is fertile and adapted for general agricultural purposes;

That the reclamation of said land will furnish homes for many citizens and especially for soldiers, sailors, and marines of the World War;

Therefore we respectfully memorialize you to enact the necessary law and to make the necessary appropriation to carry out the said project.

And your memorialists, as in duty bound, will ever pray.

The foregoing memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 2d day of February, 1921.

THOMAS E. MCKAY,
President of the Senate.

Attest:

Q. B. KELLY,
Secretary of Senate.

The foregoing memorial was publicly read by title and immediately thereafter signed by the speaker of the house, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 3d day of February, 1921.

E. R. CALLISTER,
Speaker of the House.
C. R. BRADFORD,
Chief Clerk of House.

Received from the senate this 3d day of February, 1921.
Approved February 3, 1921.

CHAS. R. MABEY, Governor.

Received from the governor and filed in the office of the secretary of state this 4th day of February, 1921.

H. E. CROCKETT,
Secretary of State.

Mr. KENYON. I present a concurrent resolution of the Legislature of the State of Iowa with reference to the construction placed upon the recent railroad act by the Interstate Commerce Commission holding that the act gives them power over intrastate rates as well as interstate rates, a question of vital moment to the people of the Middle West. I send the concurrent resolution to the desk, and as it is very short I will ask to have it read.

The VICE PRESIDENT. The Secretary will read as requested.

The reading clerk read as follows:

Concurrent resolution for petitioning Congress.

Whereas the recent decision of the Interstate Commerce Commission in the Illinois Rate Case interprets the Esch-Cummins Act as giving them complete authority over the railways, the entire field of transportation, the traffic itself, and all the instrumentalities and means of carrying it on; and

Whereas it means that the laws of the States and their officers are defied and that the Interstate Commerce Commission has assumed exclusive authority over the railways; and

Whereas wheat, corn, live stock, and all farm products are being marketed at a heavy loss to the farmer; and

Whereas the freight and passenger rates are already burdensome to the producers and consumers, with the likelihood that the railroads will ask for further increase in rates, with no consideration apparently having been given in the recent raise in rates as to the low cost of construction and operation in the prairie States, with no completed valuation of the railways or as to the fact that the railways in these States have not millions invested in depots and terminals, we consider it unwise to confer upon the Interstate Commerce Commission the greatest power ever given to a body of men in peace times: Therefore be it

Resolved by the senate (the house concurring) of the thirty-ninth general assembly. That we call upon Congress to so amend the transportation act and in such plain language that the authority of the States over intrastate traffic in their respective territories will be maintained without an opportunity for misinterpretation; and be it further

Resolved. That a copy of this resolution be sent to each United States Senator and Congressman from Iowa.

JOHN HAMMILL,
President of the Senate.
ARCH W. MCFARLANE,
Speaker of the House.

I hereby certify that this concurrent resolution was introduced in the senate, was duly adopted by the senate February 4, and by the house February 7.

L. W. AINSWORTH,
Secretary of the Senate.

Mr. KENYON. I wish to say that I shall in a short time introduce an amendment to that act making the question clear if it is not now clear in the act. It seems to me that the act expressly and in terms covers the situation, but as the question has arisen the matter should be cleared up.

The VICE PRESIDENT. The resolution will be referred to the Committee on Interstate Commerce.

Mr. MYERS presented a resolution of the Legislature of Montana, which was referred to the Committee on Finance, as follows:

Whereas during the World War, and at the request of the war board, the mining States of the Union developed and produced large quantities of manganese ore; and

Whereas said production was at the request and for the benefit of the Government of the United States while we were engaged in the World War; and

Whereas the price fixed by said war board was such that this ore could be produced at a small profit; and

Whereas since the cessation of the World War the price fixed has been revoked; and

Whereas those mining enterprises which spent large sums of money in the development of manganese ore and other like ores have been unable to operate since the end of the war by reason of the cheap importation of this ore from South America, and if such importation is to continue large sums of money invested in the development of these mining enterprises will be lost to the American people, and the only thing that can restore these mining enterprises to a profit for labor and capital is to put a tariff on the importation of manganese ore into the United States, and in order to stimulate and keep alive this industry it is the judgment of this assembly that a tariff should be assessed against all importations of manganese ore of not less than 1 cent per pound, and that such tariff should be imposed upon importations at the earliest possible moment: Therefore be it

Resolved. That it is the sense of this legislative assembly that the Government of the United States should at the earliest possible moment place a tariff of not less than 1 cent per pound on all importations of manganese ore into the United States; and be it further

Resolved. That a copy of these resolutions be forwarded to the United States Senators and Representatives in Congress from the State of Montana.

FRED L. GIBSON,
Speaker of the House.
NELSON STORY, JR.,
President of the Senate.

STATE OF MONTANA,
County of Lewis and Clark, ss:

I, R. H. Wiedman, chief clerk of the House of Representatives of the Seventeenth Legislative Assembly of the State of Montana, do hereby certify that the foregoing is a full, true, and correct copy of house resolution No. 2, introduced by Warren, in the above-named body, passed, and concurred in by Senate of said legislative assembly.

R. H. WIEDMAN,
Chief Clerk.

Mr. MYERS presented telegrams in the nature of memorials of the Missoula Branch of International Catholic Welfare Council, of Missoula; Catherine Mannion, president of Ladies' Catholic Benevolent Association, Branch No. 861, of Butte; Bozeman Council, No. 1413, Knights of Columbus, of Bozeman; Mr. and Mrs. Joe Lefebvre, of Libby; Butte Council, Knights of Columbus, of Butte; South Butte Council of Women's League, of Butte; Sacred Heart Branch of National Catholic Welfare Council, of Butte; Women's Catholic Order of Foresters, of Butte; Mr. and Mrs. M. E. Dawson, of Libby; Mr. and Mrs. Fred Bockman, of Libby; Mrs. M. M. Spencer, of Libby; Catho-

lic Women's League, Diocese of Helena; Women's Catholic League, Saint Patrick's Parish, of Butte; D. J. Meagher, grand knight, Knights of Columbus, of Helena; and N. C. Hoff, president, Saint Charles College, of Helena; all in the State of Montana, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution of Wendell Phillips Council of the American Association for the Recognition of the Irish Republic, of Butte, Mont., urging that Great Britain be immediately requested to pay the interest on war loans, and also that extension of time be refused for payment of the principal; also that any further financial assistance to Great Britain be refused; and also protesting against alleged utterances of Rear Admiral W. S. Sims relative to Sinn Fein activities during the World War necessitating the diversion of American vessels from the convoy of troops and merchant ships and the consequent loss of lives, etc., which was referred to the Committee on Foreign Relations.

He also presented a resolution of the Catholic Women's League of Kalispell, Mont., protesting against legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. DILLINGHAM presented memorials of sundry citizens of Troy and Lowell, Vt., remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. KEYES presented memorials of sundry students of Saint Anselm's College, of Manchester, and sundry citizens of Salmon Falls, both in the State of New Hampshire, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

Mr. CAPPER presented resolutions of Center Hill Local Union, No. 3734, of Farmers' Educational and Cooperative Union of America, of Booneville, Ark., and Justice Local, No. 43, of the Farmers' Educational and Cooperative Union of America, of Wewoka, Okla., favoring legislation preventing gambling in grain products, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Beaver Falls and New Brighton, Pa., praying for the enactment of legislation preventing gambling in grain products, which was referred to the Committee on Agriculture and Forestry.

Mr. GRONNA presented a concurrent resolution of the Legislature of North Dakota, which was referred to the Committee on Agriculture and Forestry, as follows:

Senate concurrent resolution introduced by Mr. Baker and Mr. Bond.

Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring):

Whereas a critical situation exists in much of that territory between the western boundary of Minnesota and the Rocky Mountains, in that within this territory there are large numbers of farmers who, in the aggregate, have millions of acres under cultivation, but who have not sufficient seed and feed for the spring planting of 1921; and

Whereas the farmers of this region demonstrated their loyalty to the Government during the late war by producing food products to the limit of their strength and ability at less than cost, owing to drought, grasshopper damage, and high cost of labor; and

Whereas, in order to insure the best results from the forthcoming harvest, seed corn, seed potatoes, and seed wheat should be provided with the proviso that, in order to secure seed grain and feed, a reasonable acreage of corn and potatoes must also be planted; and

Whereas, owing to the present financial depression existing throughout the entire country, it will not be possible for the banks, the counties, or the State to arrange for furnishing the necessary seed and feed; and

Whereas, unless Federal aid is forthcoming, millions of these productive acres will not be cropped at this time when the production of agricultural products is recognized as a factor of vital importance to the welfare of the Nation and the world: Now, therefore, be it

Resolved by the Senate of the Seventeenth Legislative Assembly of the State of North Dakota (the House of Representatives concurring). That we do hereby memorialize the Congress of the United States and respectfully urge that Congress take immediate action toward furnishing the means whereby the farmers in this section may be provided with Federal aid, to the end that they may receive sufficient seed and feed to plant a normal acreage for the season of 1921; be it further

Resolved. That the secretary of the senate send a copy of this resolution to the president of the senate and the speaker of the house of the Montana and South Dakota Legislatures, respectively; also to our Members in Congress.

This is to certify that the foregoing concurrent resolution originated in the Senate of the Seventeenth Legislative Assembly of the State of North Dakota, the House of Representatives concurring therein, and was adopted.

H. R. WOOD,
President of the Senate.
W. J. PRATER,
Secretary of the Senate.
L. L. TWICHELL,
Speaker of the House of Representatives.
C. L. DAWSON,
Chief Clerk of the House of Representatives.

Mr. GRONNA presented a concurrent resolution of the Legislature of North Dakota, which was referred to the Committee on Commerce, as follows:

Concurrent resolution introduced by Mr. Whitman.

Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring):

Whereas for more than 20 years last past the Red River of the North has been a nonnavigable stream; and
Whereas during the summer months the water in the river often is so low and impure that it is difficult for the inhabitants living in cities upon the banks of said stream to obtain a sufficient supply of water; and

Whereas in order to conserve the health of the people residing in the territory supplied with water by said river, it is deemed advisable and expedient to construct dams therein at points where cities are located upon its banks; and

Whereas the construction of such dams will furnish settling basins for the water supply of various cities, power for the operation of public utilities, and in addition thereto greatly beautify said stream, and allowing the use thereof for pleasure boats; and

Whereas the declaration by the Congress of the United States that said river is a nonnavigable stream would permit the construction of bridges with stationary spans instead of lift spans or drawbridges, thus saving thousands of dollars in the construction thereof, and in this manner tend to promote traffic between the inhabitants of the States of North Dakota and Minnesota: Now, therefore, be it

Resolved by the Legislative Assembly of the State of North Dakota assembled in regular session, That by virtue of the foregoing facts and circumstances, an act of Congress declaring said Red River of the North a nonnavigable stream would be very beneficial to a great many citizens of the States of North Dakota and Minnesota. Therefore we respectfully request the Congress of the United States to pass an act declaring said Red River of the North a nonnavigable stream: Be it further

Resolved, That the secretary of state of North Dakota be requested to forward copies of this concurrent resolution to the President of the Senate of the United States and Speaker of the House of Representatives at Washington, D. C., and to the Members of the Senate and House of Representatives from the State of North Dakota.

This is to certify that the foregoing concurrent resolution originated in the Senate of the Seventeenth Legislative Assembly of the State of North Dakota, the House of Representatives concurring therein, and was adopted.

H. R. WOOD,
President of the Senate.
W. J. PRATER,
Secretary of the Senate.

L. L. TWICHELL,
Speaker of the House of Representatives.
C. L. DAWSON,
Chief Clerk of the House of Representatives

Mr. GRONNA presented a concurrent resolution of the Legislature of North Dakota, which was referred to the Committee on Public Lands, as follows:

A concurrent resolution introduced by Mr. Mees.

Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring):

Whereas crops in the vicinity of and on the Standing Rock Reservation, located in the States of North and South Dakota, have been practical failures during the past three years; and

Whereas under and pursuant to the proclamation of the President of the United States, under date of March 18, 1915, approximately twenty-five hundred settlers made entries upon the lands of said Standing Rock Reservation and have settled and made homes thereupon; and

Whereas on account of aforesaid crop failures and losses sustained in stock raising practically all of said entrymen are in default in their payments to the Government of the United States on account of said entries; and

Whereas no provision is made for the extension of time for the payment of said installments upon said entries in meritorious cases under the provisions of the act of Congress of February 14, 1913, as is disclosed by the Department of the Interior Circular No. 680; and

Whereas under and by virtue of a ruling of the Department of the Interior, as disclosed by said Department of the Interior Circular No. 680, registers and receivers of the Federal land offices located at Bismarck, N. Dak., and Lemmon, S. Dak., have been instructed as follows:

"You are directed, therefore, in all cases where payments are now due and unpaid, and where payments hereafter become due and are not paid, to serve notice on the entryman of the defaults, and that in the event of their failure to make the payments in the time allowed by you for that purpose, you will report their entries to this office for cancellation.

"You will allow a period of 60 days from receipt of notice for the payment of sums now due and unpaid; but in all cases where payments hereafter become due and are not paid you will require the payments to be made within a period of 30 days from receipt of notice."

Now, therefore, be it

Resolved by the Legislative Assembly of the State of North Dakota assembled in regular session, That by virtue of the foregoing facts and circumstances great hardships and misfortunes will be, and are being, endured and suffered by such entrymen, to the great detriment of the States of North and South Dakota and citizens thereof; therefore, we respectfully urge the National Congress in session assembled to immediately consider and relieve this most deplorable condition by proper legislation; be it

Resolved further, That the secretary of state of the State of North Dakota be requested to forward copies of this concurrent resolution immediately upon its passage and approval to the President of the Senate of the United States and the Speaker of the National House of Representatives at Washington, D. C., and to the Members of the Senate and the House of Representatives of the National Congress from the States of North and South Dakota.

This is to certify that the foregoing concurrent resolution originated in the Senate of the Seventeenth Legislative Assembly of the State of

North Dakota, the House of Representatives concurring therein, and was adopted.

H. R. WOOD,
President of the Senate.

W. J. PRATER,
Secretary of the Senate.

L. L. TWICHELL,
Speaker of the House of Representatives.

C. L. DAWSON,
Chief Clerk of the House of Representatives.

Mr. ROBINSON presented a telegram in the nature of a memorial protesting against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

PARIS, ARK., February 11, 1921—p. m. 12.48.

Hon. JOE T. ROBINSON,
Senate, Washington, D. C.:

Believing the Smith-Towner bill to be a step toward absolute domination of the educational agencies of the State and a dangerous and unjust encroachment on the rights of parents over the education of their children, and believing that the said bill empowers to the Federal Government rights which were never surrendered by State, and believing that the State has amply shown their ability and competence to provide adequately for the education of their citizens within their borders, as is evident by the constant reduction of illiteracy in the United States, and believing that education should be kept out of politics, which will be manifestly impossible if this bill should become a law, therefore we respectfully yet urgently request that you oppose the said bill by all honest means in your power.

NEW SUBIACO ABBEY, SUBIACO COLLEGE,
THE SUBIACO ALUMNI ASSOCIATION.

REPORTS OF COMMITTEES.

Mr. KEYES, from the Committee on Claims, to which was referred the bill (H. R. 7573) authorizing payment of compensation to Pasquale Dolce for personal injuries, reported it without amendment and submitted a report (No. 775) thereon.

Mr. JONES of Washington, from the Committee on Commerce, to which was referred the bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, reported it without amendment and submitted a report (No. 776) thereon.

Mr. FERNALD, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 2328) relating to the title to land to be acquired as a site for a post-office building at Spring Valley, Ill., reported it without amendment.

Mr. GRONNA, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, reported it with amendments and submitted a report (No. 777) thereon.

Mr. SUTHERLAND, from the Committee on the Census, to which was referred the joint resolution (S. J. Res. 251) to authorize payment to members of the Army and Navy who were employed as enumerators during the Fourteenth Decennial Census to take the census of persons in the Army and Navy, reported it favorably without amendment.

Mr. McCUMBER, from the Committee on Pensions, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

A bill (H. R. 15196) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 778);

A bill (H. R. 15631) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 779); and

A bill (H. R. 15900) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors (Rept. No. 780).

JOINT RESOLUTION INTRODUCED.

Mr. NEW introduced a joint resolution (S. J. Res. 259) directing the Secretary of the Navy to turn over certain obsolete seacraft to the Air Service of the Army and directing the Chief of Air Service of the Army to conduct extensive tests on same to further the study and development of aerial attack on seacraft, which was read twice by its title and referred to the Committee on Naval Affairs.

CHANGES OF REFERENCE.

Mr. DIAL. I move that the Committee on Military Affairs be discharged from the further consideration of the bill (S. 4989) to authorize the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture, and that it be referred to the Committee on Post Offices and Post Roads.

The motion was agreed to.

Mr. GRONNA. I move that the Committee on Agriculture and Forestry be discharged from the further consideration of Senate Document No. 375, Sixty-sixth Congress, third session, being a letter from the Secretary of the Treasury transmitting a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation required for printing and binding during the fiscal year 1921, and that it be referred to the Committee on Appropriations.

The motion was agreed to.

ASSISTANT CLERK, COMMITTEE ON FOREIGN RELATIONS.

Mr. CALDER (for Mr. LODGE) submitted a resolution (S. Res. 448), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the resolution of the Senate No. 225, agreed to on November 19, 1919, authorizing the Committee on Foreign Relations to employ an assistant clerk during the Sixty-sixth Congress, be, and the same is hereby, extended in full force and effect until the end of the Sixty-seventh Congress, at the rate of \$1,800 per annum, to be paid out of the contingent fund of the Senate.

THE COTTON SITUATION.

Mr. CALDER. Mr. President, out of order I ask permission to submit a report from the Committee to Audit and Control the Contingent Expenses of the Senate. I report back from that committee favorably, without amendment, Senate resolution 443, submitted by the Senator from South Carolina [Mr. SMITH] on the 10th instant. I ask for its present consideration.

The VICE PRESIDENT. Without objection, the resolution will be read.

The resolution was read, as follows:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to make an investigation, to ascertain the amount and grades of cotton and wheat now held in this country, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding \$1.25 per printed page, to report such hearings as may be had in connection therewith, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

Mr. SMOOT. Mr. President, I am not going to object to the consideration of the resolution, but I do wish to say just this much. We appropriate hundreds of thousands of dollars every year for the Agricultural Department to secure just such information as is asked for in the resolution of the Senator from South Carolina. It strikes me that if the Agricultural Department, through the Bureau of Markets or whatever agency is given the duty to collect the information asked for in the resolution, is not performing that duty, we ought to stop the appropriations for this purpose to the Department of Agriculture.

Perhaps the Senator from South Carolina knows the situation and knows that those reports are incorrect. If they are incorrect and the investigation proposed will bring out the facts, I think it is the very best thing in the world to do. If they are incorrect and the American people have been led to believe in them in the past, and it now is demonstrated that they are of no use whatever, the quicker we cut off the appropriation for that purpose the better it will be for the American people.

I desired to say this much in passing, because the resolution provides for obtaining information that we have already appropriated for the Department of Agriculture to secure. Evidently there is some reason for the resolution. The only reason for it that I can conceive is that the information the department has given out is incorrect. I should like to ask the Senator from South Carolina if that is the fact?

Mr. SMITH of South Carolina. It is.

Mr. WARREN. Mr. President, may I ask what is the matter under consideration? Does it pertain to the bill regularly before the Senate?

The VICE PRESIDENT. It does not.

Mr. WARREN. I shall have to object to its present consideration.

Mr. SMITH of South Carolina. I do not think it will lead to any discussion. It was discussed the other day, and I think it will take only a minute to pass it. It is simply a resolution providing for an investigation.

Mr. JONES of Washington. I ask that the resolution may go over anyway.

The VICE PRESIDENT. Objection is made, and the resolution will be placed on the calendar.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. WARREN. I ask that the appropriation bill may be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Govern-

ment for the fiscal year ending June 30, 1922, and for other purposes.

The Assistant Secretary resumed the reading of the bill, on page 114, under the heading "Surveyors general."

The next amendment of the Committee on Appropriations was, on page 118, under the heading Post Office Department, in line 6, to strike out "310" and insert in lieu thereof "323," so as to read:

Clerks—116 of class 4, 170 of class 3, 268 of class 2, 323 of class 1, 138 at \$1,000 each, 26 at \$900 each.

Mr. KING. May I inquire of the Senator what is the reason for an increase in the Post Office Department clerks?

Mr. WARREN. That was done by the committee on a special request from Postmaster General Burleson, who in his argument seemed to indicate that they are very much needed.

Mr. KING. The report which has been submitted by the committee shows a most startling increase in the appropriations carried by the legislative appropriation bill. For instance, from the report I find that in 1886 the legislative bill carried appropriations amounting to \$21,000,000; in 1908, when the Republicans were in power, it carried \$32,000,000; in 1909, \$32,000,000; in 1910, \$32,000,000; in 1911, \$34,000,000; in 1912, \$35,000,000; in 1914, \$35,000,000; in 1916, \$37,000,000; in 1917, \$36,000,000; in 1918, \$39,000,000; in 1919, \$69,000,000; in 1920, \$97,000,000; and in 1921, \$104,000,000. The present bill carries—

Mr. WARREN. Over \$100,000,000.

Mr. KING. The amount carried in the bill as reported by the committee is \$110,000,000.

Mr. WARREN. That is nearly one-half of 1 per cent higher than the House passed it. The Senator should remember, however, that in the years of which he is speaking the total expense for all purposes in the United States was about \$500,000,000 for a Congress of two years. We have increased the scope. The Post Office Department, to which the Senator has alluded in his inquiry, has increased probably fiftyfold, because we are now doing a great deal of the merchandise business of the country through the Parcel Post and Rural Delivery Systems. There is no comparison between the amount of business they are called upon to do now and in those earlier years.

Mr. KING. My observations were directed not against any particular item, but against the entire bill. I submit that it is absolutely unpardonable and inexcusable for us to increase the items covered by the bill from \$34,000,000 in 1914 and \$39,000,000 in 1918 to \$110,000,000 now.

Mr. WARREN. I do not wish to ask the Senator any disagreeable question, but I am satisfied that he voted for the prohibition proposition, and that costs us some \$10,000,000 or so in the pending bill. The internal revenue costs us over \$10,000,000 more than last year. Probably the internal revenue costs now about \$50,000,000 to carry on that great bureau. As I said, it is about \$10,000,000 more than last year for internal revenue, and it is more than \$10,000,000 more when all the acts are taken together to provide for the enforcement of the prohibition system.

We are going fast, I know, but I may say to the Senator, what he so well understands, that it is the duty of the Appropriations Committee to carry out the law and to appropriate what the law requires to be appropriated. To some extent the hands of the members of the committee are tied accordingly. Of course, in the Post Office Department I feel that it has been handled perhaps not as satisfactorily to the people at large sometimes, but it has been handled very economically, considering the amount of business done by that department.

Mr. KING. In speaking of the Post Office Department, I desire to say that I think that has been, perhaps, the one department during this orgy of extravagance that has tried to practice economy. I think that in nearly every other department of the Government and in all, or substantially all, of the bureaus of the Government there have been profligate expenditures. I am criticizing Democrats who are in office as well as the greater number of Republicans who are in office and have been in office during the entire administration of Mr. Wilson.

However, I come back again to the proposition, Mr. President, that it is inexcusable to more than double, indeed, to treble, the expenses covered by this bill in two years.

Mr. WARREN. Mr. President, among the large amounts added to the bill—there are a number of smaller ones here—is the sum of \$7,400,400 for the War Risk Insurance Bureau. That is an expenditure for which we did not have to provide before the war. There is also the direct expense incident to certain loans, amounting to \$3,750,000. Then the sundry civil bill, which we have just passed, carried some \$250,000,000 for the War Risk, for vocational education, and for the Public Health Service, which in the times to which the Senator alludes consisted of an inconsiderable bureau, consisting of the Surgeon

General of the Public Health and Marine Hospital Service and a small group of employees under him. In the succeeding years it has very largely expanded. As I have said, the Committee on Appropriations, no matter what might have been their efforts, could hardly prevent the passage of laws. If they do their duty now, they are compelled to bring before the Senate various items of appropriation necessitated by the enactment of other legislation. The Senate, of course, may go to any extent which it may see fit in reducing them, provided the Government is supported.

Mr. THOMAS. Mr. President, will the Senator from Utah permit me to interrupt him?

Mr. KING. I yield.

Mr. THOMAS. I do not think the Committee on Appropriations should be censured for bringing before the Senate a bill of this sort; indeed, I think they are entitled to much credit for confining the aggregate of appropriations to the sum reported. About the only evidences of economy that I have been able to see recently have been the efforts of the Appropriations Committee to limit the demands which are made upon them.

This is an enormous bill, but the Senator from Utah, before his term expires, will be able to refer to it, in my judgment, as one evidencing a very large degree of economy. We are only beginning our saturnalia of appropriations. The disabled soldiers' hospital enterprise is already assuming pork-barrel proportions, and the sufferings and the needs of disabled soldiers during the next two years will be made the basis for some very beautiful, juicy, and attractive appropriations. To that the Senator must add two and a half billion dollars, which are coming, for the purpose of compensating our soldier boys for their loyalty to the Government of the United States and for their exhibition of patriotism of the highest order. When to that will be added the annual appropriations, at present, I believe, of \$100,000,000, for good roads, which next year in all probability will be \$200,000,000 or \$250,000,000, the Senator will perceive that the so-called good-roads enterprise will make the river and harbor pork-barrel bills "look like 30 cents" before 1922 shall have arrived. Those are only some of the processes which will materialize in raids upon the Treasury.

The Senator from Utah may remember that we had a \$100,000,000 surplus in the Treasury when Gen. Harrison was elected President in 1888. The appointee of that administration for Pension Commissioner was Corpl. Tanner, who, upon taking the oath of office, said, "God help the surplus." I do not think God himself will be able to help the Federal Treasury during the next few years.

Mr. KING. Mr. President, I agree with much of what the Senator from Colorado has said. I believe that the next Republican administration—

Mr. THOMAS. If the Senator will pardon me, it will not be the Republican administration any more than the Democratic contingent. Raids upon the Treasury are not partisan; they are bipartisan.

Mr. KING. The Senator from Colorado did not quite apprehend what I was going to state, but, without completing the sentence, I will say that I agree with him that the raids upon the Treasury are bipartisan. I think there have been appropriations made by Democrats that were as indefensible as some made by our Republican friends. What I was going to say was that the next Congress will be known not as the "billion-dollar Congress" but as the "\$5,000,000,000 Congress." Our Republican friends two years from now and four years from now will be charged with having given to the country a \$5,000,000,000 Congress. They are in control, and though Democrats may be particeps criminis in raids on the Treasury and in plundering the people, our Republican friends will have to bear the responsibility, and the odium will attach to them and to their administration.

Mr. THOMAS. May I again interrupt the Senator?

Mr. KING. I yield.

Mr. THOMAS. What does the Senator from Utah mean by "bearing the responsibility"? Everybody in the country wants money out of the Treasury, and those of them who fail to get it are holding Congress responsible for the failure. The only responsibility that I think is ahead of the Republican Party will arise if it keeps anything back in the Treasury during its administration.

Mr. KING. What the Senator from Colorado says is true; but in pre-election campaigns the party in power is charged with the responsibility of all mistakes and misdeeds during its administration though it may have been aided by the minority party, and notwithstanding its record was responsive to the demands of the people.

However, it is true that the American people in part, by reason of the intrigues and efforts of Federal officials and Federal commissions, have been educated to demand from the Federal

Treasury millions and hundreds of millions of appropriations for which there is no justification, or at least if the objects for which they are sought are public in character the States or political divisions thereof should have made them.

Mr. President, there is no doubt that the "order of cheerful spenders of public money" is functioning well to-day. Apparently all belong to that order, and we seem to be not only "cheerful spenders of public money" but most zealous to leave the Treasury bare and lay additional taxes upon the people to meet them.

I think that the Senator from Virginia [Mr. SWANSON] is responsible for the name given to those who so cheerfully vote to spend the public money. A local order has now become national, and the membership is being constantly increased.

Mr. President, I fear that serious consideration is not given to appropriation bills. The question is, How much we can get out of the Treasury; how much can the States and individuals and communities get out of the Federal Treasury for matters which belong to the local communities and to the States?

Mr. President, in addition to the demands made by the order just mentioned and the trouble which its demands create our Republican friends will be met in the near future by demands from another order, one which persists even to this day—the "ancient order of pie hunters." Some kind friend who believes in economy and who has sympathy for the woes that will beset the Republican Party sent me a clipping from yesterday's Washington Post, containing an article written by Mr. George Rothwell Brown, who, by the way, often furnishes the public with interesting and instructive articles upon public questions. Here is what he says respecting the dilemma in which our Republican friends find themselves. The article is entitled:

Job seekers clamor. Patronage pressure begins on Republicans in Congress. Many ask for Navy place

Then it proceeds:

There is no lack of material to draw upon in making the contemplated reorganization of the Government service. Senators and Representatives are feeling the patronage pressure to an extent which is an entirely new experience for most of them.

Just think of that, Mr. President! Our Republican friends in the past have had tremendous pressure brought upon them, but now the "pressure" is to be brought to a greater extent than they have ever experienced in the past.

How hungry the Republican pie hunters must be! It is a historic fact that ever since the Civil War whenever a Republican President was inaugurated Washington was the mecca to which the faithful and unfaithful Republicans wended their way, there to receive rewards for valiant service for party—I shall not say country—and the pressure has always been so great that nothing like it has ever been known in all the realm of physics. But now we are to be treated to a new form of "pressure." Perhaps a new discovery—something akin in its dynamic and destructive properties to T. N. T.

Mr. THOMAS. Mr. President—

Mr. KING. I yield.

Mr. THOMAS. I think, Mr. President, that Mr. Brown's statement is not well founded; I think he is a mere sensationalist, because we have been told here, and have accepted it if our legislative action is a criterion of our opinion, that the present civil service can not live, can not exist upon its present compensation, and in order to induce the great majority of them to remain in the Government service we have several times increased their pay. They are still clamoring for more, because it is impossible for them to exist under the terms of their present compensation. Now, it can not be possible that there are other people of the United States who want these jobs. Possibly there may be some tacit understanding that as soon as the change is made salaries will be increased, but the Senator must not overlook the fact that the civil service of the United States is to-day in a starving condition, and that it is extremely difficult to hold them to their jobs because of the slender amount of their salary and per diem compensation.

Mr. KING. Mr. President, of course, that is the tearful appeal that we hear from every department, and yet we know that whenever there is a threat or an intimation of a reduction in the personnel of the Government service there is a propaganda started in all parts of the land to preserve the offices and the salaries attached thereto. Mr. President, I have had hundreds of persons appeal to me to aid them in retaining positions in Washington which were threatened by the promise of reform made by the Republican Party when it charged during the last campaign that there were 40,000 employees in Washington in excess of the number needed by the Government. When Republican leaders stated that they would reduce the number of employees there was a perfect storm of protest, and it continues to this hour. Many employees are beginning to "dig

in," and to fortify themselves; by propaganda and otherwise they are attempting to prevent any diminution in the number of employees in the Government service.

But let me proceed with this article:

Congress is being deluged by a flood of applications for jobs of high and low degree, from every part of the country, until it would seem that there is hardly anybody who doesn't want to become identified with the Harding administration in an official capacity.

This is due to the fact that for the first time in many years the long continuity of Republican control of the Government was broken in 1912, and that the party is now coming back into power after eight years of Democratic rule.

Mr. President, I venture the assertion that if a census were taken of the Federal employees in and out of Washington 95 per cent of them would be found to be Republicans. When Mr. Wilson came into office he failed to follow the maxim of our good Republican friends to "turn the rascals out," and his department chiefs retained most of the Republicans, and they are still holding down their positions. Most of the heads of bureaus and many of the assistant secretaries in the departments have been and still are Republicans, if my information is correct. This has not been, so far as the administration of the subordinate offices is concerned, a Democratic administration. It has been a Republican administration.

Mr. THOMAS. Mr. President—

Mr. KING. I yield.

Mr. THOMAS. Does not the Senator apprehend that a good many of those who are not Republicans are now rapidly becoming so?

Mr. KING. Oh, Mr. President, it is astonishing to see the rapidity with which conversion may take place in the hearts of some office seekers. They are like Saul of Tarsus—the scales fell from their eyes about 8 o'clock on the evening of election day, when it was disclosed that Mr. Harding was elected by a triumphant majority.

Mr. JONES of Washington. Mr. President—

Mr. KING. I yield to the Senator.

Mr. JONES of Washington. Does not the Senator think a good many of them were changing a month or two before that?

Mr. KING. Mr. President, I have no doubt but that the weather eye of many officeholders saw the ominous clouds in the sky long before election day; perhaps the work of conversion commenced then.

Mr. KENYON. Mr. President—

Mr. KING. I yield.

Mr. KENYON. Does not the Senator think that these Democratic Harding-Coolidge clubs ought to receive proper recognition?

Mr. KING. So far as I am concerned, I sincerely hope that the Republican Party will turn out of office just as soon as they can those men who are known to be Democrats, and that they will turn out a little sooner than that those whose conduct indicates that they have no political morality or political convictions, but whose political views depend entirely upon the party in power.

Mr. THOMAS. I suppose the Senator has reference to those officeholders whose Democracy is subject to revision.

Mr. KING. Mr. President, while we are revising the tariff, I think it may be said that the Democracy of a good many people is subject to revision likewise. The revision has been downward rather than upward, however, of late.

Let me say one further word, Mr. President, by way of emphasis, if I can, of what I said a moment ago, that the overwhelming majority of the Federal officials to-day are Republicans.

My friend, the Senator from Colorado [Mr. THOMAS], referred to the civil service. I think the civil-service administration has been a failure, a tragic blunder. As administered, it is cumbersome, inefficient, and conducive to waste and extravagance. The civil service is a rampart behind which inefficiency is protected and inefficient and incompetent employees are held in position for life. I wish the Republican Party would repeal the law or adopt some measure that will secure executive and administrative reforms in the Government. I have heard many persons contend that under what was called the "spoils" system there was better service than that which has obtained under civil service.

Let me refer to this article again:

Applicants for jobs are sounding their claims to recognition in every part of the country. They are too numerous for the citation of all the cases to be possible.

And yet we are told, and the Committee on Appropriations has been told, that unless salaries are increased they can not keep anybody in the public service. The applications for jobs, according to this writer, are so numerous that they can not even be catalogued.

Mr. SMOOT. Mr. President—

Mr. KING. I yield.

Mr. SMOOT. I think the Senator ought to do justice to the committee by saying that the committee have tried to cut down and save; but when the matter is brought to the floor of the Senate, wherever there has been a cut the committee has been overruled.

Mr. KING. Mr. President, I acquit the committee, as did the Senator from Colorado, of any desire for extravagance. I think the committee has done well. My criticism is rather against the Senate and our system of legislation than against the Appropriations Committee of the Senate. We vote for the appropriations in special and general bills knowing that when they become law the Appropriations Committee is bound to provide for them in the general appropriation bills.

Mr. SMOOT. Mr. President, in that connection I want to say that there is scarcely a day when I do not receive letters and calls from former employees who have been separated from the Government service within the last two or three months, and every one of them pleads to go back to the service, and most of them say, "Why, we are not asking for a bonus. Just pay us the regular rate, and we will be perfectly satisfied."

I have here a letter from one of the officials of the United States navy yard in New York, and I think perhaps I had better call the attention of the Senate to what that official says in relation to this matter. It is not merely a question of what we pay to the employees, but what we give them that is not given to any other employees in the United States. He enumerates some of these things. Of course, we all know about them, but our attention is not called to them very often.

1. Every civilian employee is given 30 days' leave with pay each year. This is a very heavy burden on appropriations, and is not commensurate with leave of absence of employees in industrial work, and alone places a heavy burden on shop overhead amounting to nearly 30 per cent at the United States navy yard in New York.

2. All employees are paid full pay for seven holidays each year. This is not done by industrial establishments.

3. All employees are paid for 13 Saturday afternoons, or six and a half days, in the summer.

4. Clerks, etc., are given sick leave of 15 days.

5. All employees receive a bonus of \$240 a year.

He states in this letter that those gratuities aggregate between 50 and 60 per cent on the overhead of the United States navy yard at New York.

Mr. THOMAS. He might have added that we are continuing to increase those privileges. The time is rapidly approaching, in my judgment, when they will not be required to work at all between meals.

Mr. KING. Mr. President, my colleague might have mentioned, in addition to all of those privileges, the retirement system, by which employees, after they reach a certain age, are assured a very handsome compensation during the rest of their lives.

Mr. SMOOT. Yes; and I want to say in that connection that we now have a proposition to leave the retirement provision of the law permissible. That is, if the employee has worked 15 years, and he can get a job, notwithstanding the fact that he is less than 70 years old, he will be allowed to take that job and draw the full compensation that comes to him under the law.

Mr. THOMAS. Why should not he?

Mr. KING. Mr. President, I will proceed with this letter. New York is always known to be a modest State, yet we find that it is not backward in asserting claims for Federal jobs. The writer proceeds:

Already there are seven applicants for the position of Assistant Secretary of the Navy from New York alone. An estimate that the total number of applicants for this one position in the country has now reached 50 would be conservative. There are 11 card-indexed applications for the position of surveyor of the port of New York and 8 applications for the position of appraiser.

To cite a single instance—

I hope the Senator from New York will pardon the fact that his name is mentioned here—

Senator CALDER, of New York, said yesterday that he had over 30 applications for the positions of the various assistant secretaryships of the 10 departments. Although the salaries paid are not high, these positions are in great demand. Other Senators and Representatives are having the same experience.

Many Republicans in Congress feel that the pressure upon them to separate "deserving Democrats" from their jobs—

Let me pause long enough to say that there are very few Democrats in the service; so that if they separate many from the service Republicans and those whose politics are so indefinite that you may not properly characterize who will be the victims—

Many Republicans in Congress feel that the pressure upon them to separate "deserving Democrats" from their jobs will be too strong to be resisted, even if they desired to resist it, and, frankly, those who are most familiar with the condition of the Federal service do not believe

that they should. These Senators feel that in making a clean sweep they will have the moral support of the country, that in effect, that is precisely what the country wants.

I feel sorry for my Republican friends upon the other side of the aisle because of this tremendous pressure which, like an overpowering flood, is beating about their devoted heads; but, according to Mr. Brown, they are not going to resist this "moral" pressure. The flood not only has physical proportions but it has assumed moral proportions, and there is a moral force behind this physical demand for separating men from the service. If the Republican Party will be content with merely throwing out of office a large number of individuals and filling their places with other persons, I shall not complain so much; but I predict that they will not only separate many from the service but they will create thousands of new positions and fill them with thousands of "deserving" Republicans, so that instead of the employees of the Government becoming less during the next two years of Republican rule the number will increase and the expenses of administration will increase. Thus we will have a \$5,000,000,000 Republican Congress instead of a \$1,000,000,000 or a \$2,000,000,000 Congress.

Mr. President, the time has come, I repeat, when we should work out some administrative reforms and curtail expenses and square our appropriations with our income. This bill carries \$110,000,000, an increase of more than 300 per cent over the appropriations carried in similar bills three and four years ago. An examination of the items found in the 163 pages of this printed bill confirms the view that retrenchment and economy are required. It will further show that Congress is lacking in courage in dealing with matters which call for radical changes.

I regret that the Committee on Appropriations does not receive support upon the floor of the Senate in attempts to practice economy. I appreciate what the Senator from Utah [Mr. Smoot] says, that when attempts are made too often they are overruled. I sympathize with the chairman and his associates.

I wish I could help them. They and the country are entitled to pity in the face of the hysterical demands made that the Government shall take charge of the States and individuals and become an eleemosynary institution which will shelter and shield the people.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 119, line 7, at the end of the items for the "Office of the Postmaster General," to strike out "\$1,710,430" and insert "\$1,726,030," so as to read, "in all, \$1,726,030."

The amendment was agreed to.

The next amendment was, on page 121, line 22, to insert the following proviso:

Provided, That the Secretary of War shall transfer without payment therefor to the Postmaster General for use of the Post Office Department a 1-ton motor truck.

The amendment was agreed to.

The next amendment was, on page 122, line 8, in the items for the Post Office Department, to strike out "\$1,800" and insert "\$2,000," so as to read:

And not exceeding \$2,000 may be expended for purchase and exchange of law books, books of reference, railway guides, city directories, books necessary to conduct the business of the department; and repairs to department buildings.

The amendment was agreed to.

The next amendment was, on page 123, line 25, in the items for the Department of Justice, after the words "chief clerk," to insert "and administrative assistant."

The amendment was agreed to.

The next amendment was, on page 124, line 2, after the numerals "\$500," to insert "assistant chief clerk, \$3,000."

Mr. KING. I would like to inquire of the chairman if that is a new item. Does it create a new position—that of assistant chief clerk?

Mr. WARREN. It does.

Mr. KING. Mr. President, in view of the fact that the war is over—

Mr. WARREN. This lady who occupies this position is on the rolls now and is perhaps one of the most efficient in this or any other country. She has been paid out of a lump sum at a larger salary than the one stated here, and it was our purpose to curtail the salary a little and to put her on the regular statutory roll, and we cut \$10,000 off the lump sum referred to.

Mr. KING. How long has that position been in existence?

Mr. WARREN. The position of assistant chief clerk is a new position, but as an assistant in the department and to the Attor-

ney General this clerk has been in the service many years. How long she has had that particular designation I do not know—probably six or eight years, anyway.

Mr. KING. Have the duties heretofore performed been such as an assistant chief clerk would perform?

Mr. WARREN. They have been, in a way, perhaps even a chief clerk's duties, and they have always been of a character to entitle her to a large salary.

The amendment was agreed to.

The next amendment was, on page 124, line 24, to change the total of the appropriation from "\$484,310" to "\$487,310."

The amendment was agreed to.

The next amendment was, on page 125, line 25, in the items for the Department of Justice, after the numerals "\$36,000," to insert "if space can not be assigned by the Public Buildings Commission in buildings under the control of that commission," so as to read:

For rent of buildings and parts of buildings in the District of Columbia, \$36,000, if space can not be assigned by the Public Buildings Commission in buildings under the control of that commission.

The amendment was agreed to.

The next amendment was, on page 128, line 14, to reduce the total of the appropriation for the Bureau of Census from "\$1,215,000" to "\$1,000,000."

The amendment was agreed to.

Mr. HEFLIN. Mr. President, on page 128—

The VICE PRESIDENT. We are not through with the committee amendments yet.

Mr. HEFLIN. After we get through with the committee amendments it will be in order to offer other amendments?

The VICE PRESIDENT. Yes; the order was to consider committee amendments first.

The reading of the bill was resumed.

The next amendment was, on page 130, line 6, in the items for the Department of Commerce, to strike out "\$75,000" and insert "\$100,000," so as to make the proviso read:

Provided, That not more than \$100,000 of the foregoing sum shall be used for the expenses of branch offices in the United States.

The amendment was agreed to.

The next amendment was, on page 131, line 2, to strike out "\$100,000" and insert "\$150,000," so as to read:

To further promote and develop the commerce of the United States with the Far East, including the employment of experts and special agents in the District of Columbia and elsewhere, purchase of books of reference and periodicals, reports, traveling and subsistence expenses of officers and employees, exchange on official checks, and all other necessary incidental expenses not included in the foregoing, to be expended under the direction of the Secretary of Commerce, \$150,000.

Mr. FRANCE. Mr. President, I desire to offer an amendment to change a word on page 130. It is virtually an amendment to a committee amendment, as it has bearing on the amount mentioned on page 131. It merely makes the language slightly more elastic.

Mr. WARREN. May I hear the words that are to be inserted?

The VICE PRESIDENT. The Secretary will state the proposed amendment to the amendment.

The READING CLERK. On page 130, line 19, after the word "with," insert the words "Europe and," so that it will read:

To further promote and develop the commerce of the United States with Europe and the Far East, etc.

Mr. WARREN. I have no objection to that.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ROBINSON. Mr. President, I ask the attention of the chairman of the committee. I am compelled to leave the city at an early hour, to be gone for two or three days. I have an amendment, which is not a committee amendment, of course, but which I would like to have disposed of at this time, if the chairman will be kind enough to consent. It relates to the Division of Information in the Department of Labor.

Mr. WARREN. I understand the amendment. Of course, we had unanimous consent not to have other than committee amendments considered now. If the Senator will leave his amendment with another Senator, or with me, it will be taken care of in his absence.

Mr. ROBINSON. I will offer it myself if I am able to remain in the Senate long enough, and if not I will ask some other Senator to offer it, the chairman of the committee having agreed that it may be inserted.

Mr. THOMAS. Just a word. Does that agreement carry with it the implication that the amendment will be accepted by the Senate?

Mr. WARREN. No.

Mr. ROBINSON. Certainly not.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. H. Overhue, its assistant enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15422) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. GOOD, Mr. MAGEE, and Mr. BYRNS of Tennessee were appointed managers of the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ELSTON, Mr. DEMPSEY, and Mr. HASTINGS were appointed managers of the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 578. An act providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof; and

H. R. 15344. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1922, and for other purposes.

DEPARTMENT OF EDUCATION.

Mr. SMITH of Georgia. Mr. President, in pursuance of the notice I gave a few days ago, I desire to bring to the attention of the Senate the bill to create a department of education and to authorize certain appropriations for purposes connected with education in the States.

The bill is to create a department of education, and then to authorize appropriations from the National Treasury to five distinct purposes.

First, for the removal of illiteracy.

Second, for the Americanization of immigrants.

Third, to aid in the payment of teachers, especially in rural and sparsely settled sections.

Fourth, to introduce instruction in hygiene and health in the schools.

Fifth, to furnish opportunity for teachers to prepare more thoroughly for their work.

Mr. President, it is unnecessary for me to present an argument on the importance of our public-school work. Without our public schools a large majority of the children of this land would grow up in ignorance. Public schools are essential to prepare the children of our country for the struggles of life, for its joys, and its trials. They are essential to prepare for citizenship. They are a part of our democracy. They should furnish equal opportunity, as far as possible, to all.

The States need encouragement and aid in this work. They have failed to furnish the school and give the training to many children which they should have received. The census of 1910 shows that white illiteracy had increased in the United States during the 30 years prior to that time. White illiterates in the United States in 1910 exceeded in number 3,200,000 persons, and Negro illiterates numbered 2,180,000.

There were 5,000,000 foreign-born residents in the United States who could not read and write English. There were 2,000,000 who could not read or write any language. There were 3,500,000 who could not speak or write English.

The financial loss estimated by men well-informed as a result of illiteracy alone is \$825,000,000 annually.

The Director of Mines and Mining recently showed that out of a million men employed in the mines, 620,000 were foreigners, and 460,000 could not speak English. He attributed 1,000 deaths and 150,000 injuries in the mines annually to illiteracy.

One-half of the industrial accidents that occur annually are attributed to illiteracy.

The first draft in the recent war disclosed the startling fact that one-fourth of the boys called to the colors were illiterates.

Between 25 and 30 per cent were physically defective, and it is insisted that 90 per cent of the defects could have been removed by intelligent training as to hygiene and simple diseases during childhood.

Of the total draft, 700,000 were illiterates. With our boys called to the colors, the ages being from just below 20 to just above 30, out of 4,000,000, 700,000 were illiterates.

These facts are startling and should shock our national conscience.

Let us turn to the present condition of the teaching body of the United States. The average pay of teachers does not exceed \$650 a year.

One hundred thousand are less than 20 years of age; 30,000 have only a grammar-school education; 200,000 have less than a high-school education.

Five million of children are to-day either out of school for lack of school facilities or are being taught by teachers who ought to go to school.

The president of the National Chamber of Commerce agreed with the vice president of the American Federation of Labor that the majority of the worst strikes that have taken place, and that have caused the most trouble in the last few years, were due to illiteracy.

The importance and duty of furnishing an opportunity for education at the expense of the public was recognized by our colonial ancestors, and the national duty to encourage education had its first precedent when Congress, under the Articles of Confederation, decreed that lot No. 16 of the public domain should be dedicated to the maintenance of public schools.

The ordinance of 1787, in article 3, contains the following language:

Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged.

The original thirteen States received no lands from the Federal Government for the support of schools. The Federal Government owned no lands within these Commonwealths, but in each of the States where the Government owned lands a portion of these lands was set apart for public education.

The records of the States before the adoption of the Constitution, and the ordinance of 1787, fully recognized public schools as essential to the general welfare, and Congress was justified in assuming that aid to public schools fell within the power of Congress "to promote the general welfare."

Following the grants of lands to the States for school purposes, Congress passed the Morrill Acts and made the land grants to the agricultural colleges. Then followed the Hatch Act, in 1887, creating agricultural experiment stations. Each State was required to accept the act formally and agreed to carry out its purpose, but the Federal Government retained no control over the work. This was left to the States.

Then followed the second Morrill Act of 1890. In 1906 Congress passed the Adams Act, more completely endowing and maintaining the agricultural experiment stations, and the Nelson Act of 1907 still further provided for the endowment and support of the agricultural colleges.

The Smith-Lever Act of 1914 provided for farm demonstrators and teachers of home economics, whose duty it was to carry to the homes of the farmers the information obtained from study and experimentation at the colleges of agricultural and experiment stations.

The Smith-Hughes Act of 1917 provided national aid to the States to encourage vocational training.

The constitutional authority to give national aid to education was clear and has been exercised continuously since the adoption of the Constitution. Congress has given the aid to the States. It has designated the different purposes for which the aid was to be used, but in no way has the National Government undertaken to interfere with the execution of that purpose by the respective States.

Each of these acts giving national aid conform to this policy. The acts have designated in general terms the use of the fund as a fund for agricultural colleges, a fund for experiment stations, a fund for farm demonstrators, a fund for vocational education. The States were required to accept and agree to use each of these funds for the particular purpose designated. But to the States was left, without interference by the National Government, the creation of the detailed plans and the mode of the use of the funds, and no interference with State educational work by the National Government has followed the contribution from national resources.

I have shown that national aid for the public schools now is needed. I have shown the startling figures with reference to illiteracy existing to-day. The bill was planned to coordinate this entire work, to remove illiteracy, and to Americanize all immigrant residents of foreign birth.

One of the objections urged against the bill has been that some of the richer States would contribute to the fund, through national taxation, more than they received from national contribution. The same argument could be applied to any city contributing to the fund of State taxation for the State schools. In Atlanta, where I live, the contribution made through taxation to education in the State is several times as much as is returned to

the schools of the city. But what made the city grow? What made the city? It was the prosperity of the counties of the State. Where did the people of the city obtain the money with which they built their fortunes? From their commerce with the people of the whole State and the neighboring States.

We now raise a large part of our national revenue by income taxation. Where do those incomes come from? Take the city of New York. The biggest incomes derived by the citizens of New York are not made from investments in New York. They come from stocks and bonds of properties all over the United States. Again, taking my home city of Atlanta, one industry there pays an enormous income tax, but where does it derive its revenue? By sales at the soft-drink counters all over the United States. It is no argument against national contribution to the public-school system of our land that some of the States will pay more than will be returned to them from the National Treasury, for the wealth and the incomes upon which the taxes are paid are derived from the industry and enterprise of the entire country.

Besides, Mr. President and Senators, an illiterate in one State, allowed to grow up in ignorance, is likely at any time to become a charge on another State. The foreigner coming to our country, the immigrant who can not speak English, the 3,500,000 who can neither read nor speak English, are not permanently located in one State. They move from State to State, and they are a menace to all the States and to the people of all the States. So that line of argument should have but little weight with us. It is the same argument that the very wealthy made against paying anything for public education. It is the argument that the very wealthy pay more in educational taxes than their children derive from the public schools. The principle of the public-school system is that every child must have an opportunity in this free land of ours to be trained and prepared for life's responsibilities, and all the people should contribute in taxes that this may be accomplished.

As the village began the work and it extended to the State, finding the villages were not all prepared to carry the burden, so now our national aid may well be given to foster the public schools in the respective States.

We appropriate \$100,000,000 for good roads; we appropriate freely for hog cholera and for the foot-and-mouth disease of cattle.

Let us open the National Treasury when it is shown that there is a necessity for contribution to the highest of all causes, to the greatest of all work in our country, the training of the children of our land.

There have been resolutions passed from one end of the United States to the other indorsing this measure. Nearly all of the women's organizations of our country have indorsed it. Nearly all of the educational institutions and organizations have indorsed it. Chamber of commerce after chamber of commerce has indorsed it. The American Federation of Labor has indorsed it. I ask leave to print at the conclusion of my remarks a few of those resolutions of indorsement.

THE VICE PRESIDENT. Without objection, permission is granted.

MR. SMITH of Georgia. Mr. President, I do not believe a measure has been before Congress that has aroused more general interest among the masses of the people than this measure. They feel the need, and appreciate the stimulus that would be given by national aid in the State work.

There has been but one active opposition to the measure. It has come from organizations of Roman Catholics. I will say, Senators, that every resolution passed by them, every editorial printed in their papers against the measure, every expression I have seen, has disclosed ignorance of what the measure is, and that which they have attacked is not found in the measure. They have criticized what does not exist, and what was never contemplated. They have attacked what they say is to be an autocratic control by a national secretary of education of the public and private schools of the land. They have attacked what they say is to be an interference with the right of the parent to send his child to what school he pleases. Some of them have gone so far as to say that the measure is directed against the religion of Jesus Christ.

I think the whole propaganda originated from the speech delivered by a priest in June, 1919, at Georgetown University, in which he utterly misconceived the provisions of the bill and charged that it contained provisions that were not in it.

There is not a line in the measure that gives any power to the secretary of education or to any organization in Washington City to interfere with the management of the public schools of a State.

There is not a line in the measure which interferes with the right of the parent to select for his child the school that pleases him best. If he wishes to send his child to a private school,

he may do so; if he wishes to send him to a religious denominational school, he may do so; if the Catholic parent wishes to send his child to a Catholic parochial school, he may do so; and not one word in the bill restricts his right or interferes with his doing as he wishes.

The bill does provide as to one of the appropriations that the State shall not have the benefit of that appropriation unless the State provides public schools 24 weeks in the year for all children in the State who wish to attend. It provides further that the State in order to receive that particular one of the appropriations must enact a provision for compulsory education of every child between 7 and 14 years of age for 24 weeks during the year, not in the public schools, but in some school. The bill expressly declares that the requirement by the State to attend school may be in some school, not necessarily a public school, but in the school of the child's parent's choice. It provides further that the English language must be required by the State as the basic language in every school in the State if the State receives this apportionment.

Those three requirements apply to only one of the five apportionments. They apply to that apportionment which authorizes aid in the payment of teachers, especially in rural and sparsely settled sections. Those three requirements do not apply to either of the other four apportionments, and there is nothing in them to justify the criticism.

Within the past few days a bureau of education of the National Catholic Welfare Council announced the following principle with reference to education:

The bureau of education of the National Catholic Welfare Council believes in public education and the public-school system. It will be ready to cooperate in all desirable movements for the improvement of public schools, provided such movements will not curtail the rights of the people to maintain and patronize private and parochial schools. It will stand upon the platform that it is the duty of every American citizen to contribute to the support of public schools, but it is his right to send his children to any type of school he may wish, provided such school is truly American in its teachings.

Again, the platform of the Benedictine National Educational Association, while it protested against autocracy in education, declared:

Federal cooperation with our free and self-controlled educational activities we recognize and welcome as an ally of educational freedom.

The views thus announced are in accord with the principles of this bill, and yet Senators are receiving telegrams from good citizens of the Catholic denomination from all over the land protesting against the measure, because they think it interferes with the right of the father to send his child to the parochial school; because they think that the secretary of education is to have the authority to dominate the public-school system and the private-school system of the State. These people must be laboring under false impressions as to the provisions of this bill, or they could not have sent the telegrams, and it is unfortunate that they place themselves as religious organizations against aid to public schools.

MR. SIMMONS. Mr. President, I wish to ask the Senator from Georgia a question. Does he believe that the protests which are coming from the Catholics, as he says, are really based upon the assumption that Catholic children will be required to attend public schools under his bill, or are they based upon the other idea that, as the Catholic Church, probably more than any other church, provides for the education of its children in parochial schools, the Catholics, while having to pay their part of this fund would not get any of the benefits from it because they do not patronize the State public schools? While the protest is based upon the other ground, is it not probable that is the real basis of their objection?

MR. SMITH of Georgia. I hope not.

MR. SIMMONS. I do, too.

MR. SMITH of Georgia. I hope they are frank about it.

MR. SIMMONS. I hope that is so, but I rather suspect that that has a great deal to do with their objection.

MR. KING. Mr. President, may I—

MR. SMITH of Georgia. I wish to say that I would rather not be interrupted to any extent, unless it is merely to ask a brief question, because I wish to go on with my own discussion of the subject without what has happened to me two or three times recently when I have tried to address the Senate and have been unable to proceed on account of the desire of other Senators to occupy the floor at the same time.

MR. SIMMONS. I should not have interrupted the Senator, but I really wished to have his view as to the matter concerning which I asked.

MR. SMITH of Georgia. I did not object to the Senator's interruption.

MR. SIMMONS. What I have stated, it has occurred to me, possibly had something to do with the objection of Catholics to the Senator's bill.

MR. SMITH of Georgia. I do not know, but I hope not.

Mr. SIMMONS. Though I think the statement which the Senator has made with reference to the requirements of the bill clearly demonstrate that there is no foundation for Catholics to object to it, I suspect the objection is in part due to something other than is stated.

Mr. SMITH of Georgia. It may be that some of those who have hammered these false views into the rank and file of the Catholics are moved by the idea expressed by the Senator from North Carolina. The Catholic Church, however, does not furnish parochial schools for any very large portion of the Catholic children; there are very many Catholic children in the public schools; and the representative of that church to whom I referred a few moments ago, in his recent announcement of principles with reference to education, declared that it is right for every man to be taxed to support public schools. He teaches the sound doctrine for which I am contending. If the Catholics are moved by the view which the Senator has expressed—

Mr. SIMMONS. No; I did not express it—

Mr. SMITH of Georgia. The view which the Senator has suggested.

Mr. SIMMONS. Yes; I suggested it; and I merely wanted to hear the Senator's views in regard to the matter.

Mr. SMITH of Georgia. The same view would cause them to fight all taxation for public schools, taxation by the State for public schools, taxation by the municipality for public schools, taxation by the county for public schools, and every dollar taken from the public generally to sustain public education.

I admit frankly there was a time many years ago in my own city when the Catholics asked that the portion of taxes paid by the Catholics should be turned over to them to be handled by their own schools. I was on the board of education at the time, and I had the privilege of voting against distributing to any religious denomination the fund that was raised for public education. I would not have been willing to give it to the Presbyterian Church school, with which I am connected. We Presbyterians also run a church school. When the operation of a denominational school interferes with the willingness of members of the church to pay a full and free part toward the public education of all the children, I, for one, will vote to abolish that school. What I want to do is to show those Catholics who have been misled that they have been misled. What I want them to understand is how completely this bill reserves to the States the entire control of the fund, the preparation of the plans for the use of the fund, and the administration of the fund.

Let me call attention to those provisions of the bill which fix the authority of the secretary of education and which preserve to the States and to the educational authorities of the States the unhampered administration of the funds.

Section 13 of the bill provides that—

In order to secure the benefits of the appropriation authorized in section 7, and of any of the apportionments made in sections 8, 9, 10, 11, and 12 of this act, a State shall by legislative enactment accept the provisions of this act and provide for the distribution of such funds as may be apportioned to said State, and shall designate the State's chief educational authority, whether a State superintendent of public instruction, a commissioner of education, a State board of education, or other legally constituted chief educational authority, to represent said State in the administration of this act, and such authority so designated shall be recognized by the secretary of education.

The House committee, to make even clearer the fact that the State authority is to administer the act, added before the words "distribution of such funds" the words "administration and," so that it would require the State by legislative action to provide for the administration as well as distribution of that money apportioned to the State.

The section then provides that a State may accept any one or more of the respective apportionments, and may defer acceptance of any one or more of the apportionments, but that no money shall be apportioned to any State from any one of the provisions of this act unless a sum at least equally as large shall be provided by the State or by local authorities, or by both.

Section 14 provides that when the State has provided for the distribution and administration of any one or more of the apportionments covered by this act the State's chief educational authority shall so report in writing to the secretary of education, and if this report shows that the State has prepared itself to carry out the provisions of this act with regard to any one or more of the apportionments the secretary of education shall apportion to said State such funds as said State may be entitled to receive.

The meaning of these provisions is that the State, having arranged to administer the fund covered by any one of the apportionments, and the secretary of education having been so notified by the State's chief educational authority, the secretary of education must take steps at once to send to the State the proportion to which the State is entitled under the terms of the act.

The section then proceeds further, as follows:

Provided, That this act shall not be construed to require uniformity of plans, means, or methods in the several States in order to secure the benefits herein provided except as specifically stated herein.

As a substitute for this language the House committee recommends the following:

Provided, That courses of study, plans, and methods for carrying out the purposes and provisions of this act within a State shall be determined by the State and local educational authorities of said State, and this act shall not be construed to require uniformity of courses of study, plans, and methods in the several States in order to secure the benefits herein provided.

The bill authorizes an appropriation to remove illiteracy; to Americanize those of foreign birth; to aid in the payment of teachers; to introduce the study of health and hygiene in the schools; and to better train teachers. These are the five purposes named in the bill.

In executing these purposes the State authority is to fix the course of study, plans, and methods of carrying them forward, and these courses of study, plans, and methods need not be uniform in the several States.

Mr. TRAMMELL. Mr. President, will the Senator yield for a question?

Mr. SMITH of Georgia. Yes.

Mr. TRAMMELL. Am I correct in my understanding that the bill contemplates that the Federal Government shall take away from the States the right to determine the question of whether or not they shall adopt compulsory education? In other words, is it not proposed by this measure to force upon the States compulsory education?

Mr. SMITH of Georgia. As to one of the five appropriations, that is true. One of the five does not go to a State unless there is compulsory education for 24 weeks in a year.

Let me go on with this provision about the State control of the plan, the modes, the methods of administration of the fund.

Mr. SIMMONS. Mr. President, does the Senator mean to say that a State can not get the benefit of this appropriation unless it has a system of compulsory education?

Mr. SMITH of Georgia. I will go back again to that section in a few minutes. I should like to finish this discussion of the general authority. Let me finish this language giving the broad power of control to the State, and then I will go back to that limitation as to one of the appropriations.

And provided further, That all the educational facilities encouraged by the provisions of this act and accepted by a State shall be organized, supervised, and administered exclusively by the legally constituted State and local educational authorities of said State, and the secretary of education shall exercise no authority in relation thereto except as herein provided to insure that all funds apportioned to said State shall be used for the purposes for which they are appropriated by Congress.

Now, there are five purposes. First, there is the purpose of removing illiteracy. The State authority reports to the secretary how the fund was used. The secretary has a right to insist that the fund appropriated to the removal of illiteracy shall be used to remove illiteracy, under such plans, modes, courses of study, and administration as the State sees fit. That fund could not be used for Americanization. Neither could the fund provided to Americanize immigrants be used for general illiteracy purposes. There is a fund provided for the training of school-teachers. The fund for illiteracy can not be used for training school-teachers. The fund for the teachers can not be used for the purpose of fighting or removing illiteracy. The purposes are five in number. The State must use the fund for the purpose it elects. A State can determine to accept one or more of these five allotments. If it desires only to use that fund which is intended to seek to remove illiteracy, it may do so and accept no other. The State must duplicate in its expenditure the amount it receives from the National Treasury, and the funds are left exclusively for administration by the State under such plans as it adopts, but it can not divert from one purpose to another purpose.

The execution of that purpose, both as to plans and as to administration, is left entirely to the State, and the secretary of education is expressly denied authority to interfere. The representative of a State reports to him each year how the fund has been used and that the State duplicated it. If the State did not duplicate it and simply used the national fund, he could stop the contribution. If the State diverted it from one purpose to another purpose, he could stop the allotment to the State; but if the State uses it for the purpose, and it so appears by the report of the representative of the State, that ends the matter, and he must continue an apportionment; and if the State has sought only one of the apportionments out of the five and concludes later to add another, the State has a right to do so.

Section 15 provides that the secretary of education may withhold the apportionment of any State for the next ensuing fiscal year whenever he shall determine that such apportionments have not been expended in accordance with the provisions of this act.

Section 17 provides that the chief educational authority designated by a State shall make a report to the secretary of education, showing the work done in carrying out the provisions of this act, and the receipt and expenditures of money apportioned to the State under the provisions of this act.

Let me repeat, the purposes of the bill are specifically named under five heads. The secretary of education has nothing to do with the course of study, plans, and methods of carrying out these provisions. The State is to provide for the administration of the fund and fix the course of study, plans, and methods of carrying out the purposes, and the secretary of education is to exercise no authority in relation thereto. The language could not be clearer. If there was a possible doubt of its meaning originally, the amendments placed upon the act by the Committee on Education of the House removed that doubt.

The bill recognizes the constitutional authority of the States to control in detail the educational work in the States, and especially provides that this fund shall be administered by the several States according to plans fixed by the respective States. There is not a line in the bill which authorizes the secretary of education to interfere in any way with the administration of the fund by the States. He could only withhold a particular apportionment, because the State diverted the apportionment from the particular purpose named. For illustration, take the appropriation for the removal of illiteracy. It must be used for that purpose, but the State is to control the plan and manner of its use.

Now, I come back to that one of the apportionments which has coupled with it three provisions. The apportionment for teachers' salaries, the apportionment to add to the fund which may be used, especially in rural sections and sparsely settled sections, to strengthen the teaching force, is limited with three provisions. No State shall have that apportionment unless the State does three things: First, it must provide by law an opportunity of 24 weeks' schooling for the children who desire to enter the public schools; second, it must provide by law that every child between the ages of 7 and 14 shall attend for 24 weeks of each year some school; third, it must provide that the basic language used in every school, State and private, shall be English.

I hope there is no State which does not provide 24 weeks of schooling. I know that the State of the Senator from North Carolina does. I know that his State has been one of the most progressive States in the South, certainly, and has gone as far as the means of the people will allow to encourage education. We adopted in my own State not long ago a provision for compulsory attendance.

Mr. SIMMONS. Mr. President, I want to say to the Senator, so far as my State is concerned, that we have provided constitutionally for a six months' term and we have also provided for compulsory education; but there are possibly other States that have not provided compulsory education and probably do not wish to do so.

Mr. SMITH of Georgia. That may be; but, very frankly, I do not care to see the National Government contribute any part of this \$50,000,000 that is proposed to be distributed to help pay the salaries of teachers to a State that will not really vigorously help eliminate illiteracy. We are interested in their illiteracy.

Mr. KING. Mr. President, may I make an inquiry of the Senator?

Mr. SMITH of Georgia. Yes.

Mr. KING. Does the Senator, with his—I hope—sound views of democracy, indorse a proposition that would compel a State that does not want to accept this plan to be taxed to pay other States that do?

Mr. SMITH of Georgia. Yes; yes.

Mr. KING. I thought so.

Mr. SMITH of Georgia. Just as I believe that the rich man should be taxed to take care of public schools everywhere, whether he wants to send his children or not. There are very few—and I hope there will not long be any—that do not take the necessary steps to put an end to illiteracy in this country by requiring some school attendance by all the children. We have in my State more Negroes than any other State in the Union—and more Negro children—and yet we have determined that it is essential to the progress of the State to require them all to go to school for a certain number of weeks between, I think, 7 and 14 years of age.

Mr. SIMMONS. Mr. President, I want to say to the Senator that I agree with him. I am heartily in favor of the principle of compulsory education. I think that every State in this Union ought to provide for compulsory education; and this section of the bill commends itself strongly to me because this very provision to the effect that a State can not get the benefit of

this fund unless it provides for compulsory education will be calculated to coerce the States of the Union that are lagging behind in that respect to adopt compulsory education, in the interest not only of that State but of every State and every section of the Union.

Mr. KING. Mr. President, will the Senator permit an interruption?

Mr. SMITH of Georgia. Yes; as long as the Senator from North Carolina took.

Mr. KING. The position of the Senator from North Carolina is a little different, though, from the position of the Senator from Georgia. I agree with the Senator from North Carolina; I believe that the States ought to have compulsory education; but the position taken by the Senator from Georgia goes further. It means that States that already have compulsory education, a high and efficient system of education, that do not want to come under this bureaucratic system of Federal education, are compelled, notwithstanding they may provide for their own children and have the best educational system in the world, to make contributions to other States; and the Senator approves that plan, as I understand.

Mr. SMITH of Georgia. Absolutely and unqualifiedly.

Mr. KING. He destroys the States; he does not believe any longer in the integrity of the States and their right to govern their own affairs.

Mr. SMITH of Georgia. Mr. President, I decline to yield to the Senator from Utah to repeat a speech I have heard him make so often upon the floor of the Senate.

Mr. KING. Mr. President, if I have repeated it, and the Senator has not appreciated it, I am afraid he is hopeless.

Mr. SMITH of Georgia. I have appreciated it and differed with him frequently. I have seen him apply the principle at places where I do not think it should be applied, and this is one of them. I believe that the National Government should contribute to the education of the children of this land; that it has a national interest; and while the National Government cannot interfere with the management of the schools by the States, while the States must have preserved to them their constitutional rights to control their school systems, I do believe that the wealth of the entire country should contribute something toward strengthening public education in our land. I do not know to which State he refers as the richest State in the Union. I believe that the richest section of the Union is the Osage Indian Tribe. I believe for its population its has more money per capita than any other part of the Union. I do believe that the rich State is concerned with the illiteracy, with the lack of ability to read and write English, the lack of ability to speak English, of the people of other States. I believe it has a direct interest in removing illiteracy and in Americanizing every child in the land.

Because some States will contribute to this fund more than they retain, it is no more logical to say that they should not contribute than it is to say, because some cities contribute more to the State fund than they receive in return that therefore they should not contribute, or, if some man contributes more from his wealth to the public schools of his community than his children receive in return, that that is an invasion of his rights. So, in the face of the Senator from Utah, in the face of the world, in the face of our whole country, I would plead for a national contribution to the education of the children of the land.

My purpose, so far as the Catholics are concerned, has been to show that the claim that this bill creates an autocracy in Washington is utterly unfounded. The Senator from Utah can not find in the measure a line that interferes in any way with the control by the State of its State schools. He will find, in the section providing for aid in the payment of teachers' salaries, that no State shall receive that one of the apportionments unless the State provides 24 weeks' schooling, and requires the children between 7 and 14 years of age to attend school 24 weeks. He will find that, but the State need not take it if it does not want it on that ground; and I am sorry for the State that refuses to become a part of this great movement concerning the welfare of all the people, concerning the interests of all the States, to remove illiteracy.

Why, have we not poured our black illiterates into the city of Chicago? I am told that Illinois would contribute more than would be returned to the State of Illinois. It is to the interest of the people of Illinois that they should not be deluged by illiterate blacks. It is to the interest of every State that we should be spared the presence in our land of three and a half millions who can neither speak nor write English.

Mr. President, I ask leave to print, in connection with my remarks, some of the provisions of this bill to which I have referred, which I have not taken time to read.

There being no objection, the matter referred to was ordered to be printed in the Record.

Mr. SIMMONS. Mr. President, the Senator has stated that the fund allotted to teachers was conditioned upon the State having the compulsory system prescribed. I assume that the fund allowed for the education of the children is conditioned in the same way.

Mr. SMITH of Georgia. No; the illiteracy fund does not require it. The Americanization fund does not require it.

Mr. SIMMONS. I did not recall that.

Mr. SMITH of Georgia. The fund for teaching hygiene does not require it.

Mr. SIMMONS. I assumed that that was true.

Mr. SMITH of Georgia. The fund to improve the teachers does not require it; but the fund to increase the pay of teachers in rural sections, which has for its object to make sure that an opportunity is given to every child to attend some school, requires that the State shall compel attendance in some school for 24 weeks of all children between the ages of 7 and 14.

Section 6 provides that one-half of the sum authorized to be apportioned to the States may be used for the partial payment of teachers' salaries, for providing better instruction, and extending school terms, especially in rural schools and schools in sparsely settled localities. In order for the State to share in this apportionment the State must establish and maintain certain requirements, unless prevented by constitutional limitations.

Those requirements are (a) a regular school term of at least 24 weeks in each year for the benefit of all children of school age in the State; (b) a compulsory school-attendance law requiring all children between the ages of 7 and 14 to attend some school for at least 24 weeks in each year; (c) a law requiring that the English language shall be the basic language of instruction in the common-school branches in all schools, public and private.

To receive the benefit of the apportionment toward teachers' compensation, a State is not required to compel children to attend for 24 weeks the public schools. It is only "some school" that the child between 7 and 14 must be required to attend for 24 weeks each year. The right of selection of school by the parent is left without restriction, and the schools are only required to make the English language the basic language of instruction. It is therefore clear that nothing in the bill creates an autocratic government of the schools of the country here in Washington City.

There is nothing in the bill which prevents the parent from sending his child to a private denominational school if he prefers. The bill is to encourage and assist the States in providing a system of public schools that will give an opportunity for every child to obtain an education, and also to remove illiteracy and Americanize all of our people.

Now I will discuss the other sections of the bill.

Section 1 creates a department of education, with a secretary of education at its head, and gives to him the authority over those in his department which is exercised by the heads of other executive departments.

Section 2 provides for an assistant secretary of education.

Section 3 transfers to the department of education the Bureau of Education, and, as amended by the Committee on Education in the House, authorizes the transfer of such other offices, bureaus, divisions, boards, or branches of the Government connected with or attached to any other department of the Government as Congress may determine shall be administered by the department of education.

Section 4 gives to the secretary of education the authority exercised by the head of any executive department or by any administrative board over any officer, office, bureau, division, board, or branch of the Government as may be transferred to the department of education under the provisions of this act.

Section 5 makes it the duty of the department of education to continue studies and investigations in the field of education and to report thereon. This section contains a provision for the appointment of "educational attachés to foreign embassies and of such investigators and representatives as may be needed."

Section 6 authorizes the appropriation of \$500,000 to the department of education to carry out the work placed on the department.

Section 7 authorizes the appropriation of \$100,000,000, or such portion of the same as Congress may see fit, to be apportioned, disbursed, and expended as provided in sections 8, 9, 10, 11, and 12 of the bill.

Section 8 authorizes the appropriation of \$7,500,000 for the purpose of removing illiteracy in those 14 years of age and over. It is to be distributed to the States as the proportion of their illiterates bears to the total illiterates of the Nation.

Section 9 authorizes an appropriation of \$7,500,000 for the Americanization of immigrants, foreign born, 14 years of age and over. It provides that the money shall be spent to teach

them to speak and read English, and to understand and appreciate the spirit and purposes of the American Government and the duties of citizenship in a free country. This sum is to be apportioned to the States in the proportion in which their respective foreign-born population bears to the total foreign-born population of the United States.

Section 10 authorizes the appropriation of one-half the amount of the total authorization to equalize opportunities in public, elementary, and secondary schools, for the partial payment of teachers' salaries, for providing better instruction, and extending school terms, especially rural schools in sparsely settled localities, and for the extension and adaption of educational libraries for educational purposes.

The sum is to be apportioned to the States, one-half in the proportions which the number of children between the ages of 6 and 21 of the respective States bear to the total number of such children in the United States, and one-half in the proportion which the number of public-school teachers employed in teaching positions in the respective States bear to the total number of public-school teachers so employed in the United States.

It is further provided that a State to participate in this fund must provide a legal school term of at least 24 weeks in each year for the benefit of all children of school age in the State. A compulsory school attendance law, requiring all children between the ages of 7 and 14 to attend some school at least 24 weeks each year, and a law requiring that the English language shall be the basic language of instruction in the schools in each State.

Section 11 provides that \$20,000,000 of the sum authorized to be appropriated shall be used for physical education and instruction in the principles of health and sanitation.

The House committee struck from this section the words "and for providing school nurses, school dental clinics, and otherwise promoting physical and mental welfare." This sum is to be apportioned to the States in proportion to their population.

Section 12 provides that \$15,000,000 of the sum authorized to be appropriated shall be used to provide and extend facilities for the improvement of teachers already in the service and preparing for prospective teaching.

These are the five purposes to which the appropriations authorized are to apply. A State can not take one of the funds under one of these five sections and appropriate it to some other purpose. It must use it for the purpose named in the act, but the courses of study, the plan and manner of the use, is left in each instance to the State authorities, and the secretary of education is expressly denied any authority to interfere with the unrestricted control by the State of the fund for the purpose named.

The only other two sections not analyzed are 16 and 18.

Section 16 authorizes and directs the Secretary of the Treasury to pay to the treasury of any State designated to receive any such funds the apportionment or apportionments properly certified to him by the secretary of education.

Section 18 requires the secretary of education to report annually to Congress.

Mr. President, it is not my desire at this time to detain the Senate longer. I may again, later in the session, make a few additional remarks with reference to this measure. I shall insert the exact language of passages of the bill to which I have referred, but not at this time detain the Senate to read them.

Mr. KENYON. Before the Senator closes, I would like to ask him if he can throw any light on what has become of the Americanization bill, passed by the Senate, which was in a way to bridge over the hiatus until the Senator's bill could be discussed?

Mr. SMITH of Georgia. I do not know. I joined the Senator from Iowa in warmly supporting that measure when it was before the Senate.

Mr. KENYON. I know the Senator did.

Mr. SMITH of Georgia. I felt that it was a measure of the utmost importance.

Mr. KENYON. It seems to have been lost somewhere.

Mr. SMITH of Arizona. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Arizona?

Mr. SMITH of Georgia. I yield.

Mr. SMITH of Arizona. In the matter of compulsory education in the Senator's bill, is there any limitation on the number of months that a State may select as compulsory?

Mr. SMITH of Georgia. Not at all. It is left entirely to the States.

Mr. SMITH of Arizona. The States differ as to that. Some have three and others have six months, and I would suggest that when you take a couple of sound young boys, with a perfectly helpless mother, six months out of each year for seven

long years—which does not give a boy any more education than he ought to have—it would prove in many hundreds of instances a very great hardship.

Mr. SMITH of Georgia. I know what the policy has been with us. The compulsory provision applies until the child is 14 years of age. It applies only between 7 and 14.

Mr. SMITH of Arizona. That may amount to seven years' attendance.

Mr. SMITH of Georgia. In my State we undertake to arrange the school term at a time when it will interfere least with the employment of the child.

Mr. SMITH of Arizona. Under the old system it used to be always in the winter months, so as to prevent that as far as possible.

Mr. SMITH of Georgia. In the agricultural sections it is all in the winter months. In some other sections it differs. But the States are left perfect freedom to adjust that question, and the bill declares that uniformity need not exist, but each State shall handle the subject according to its own wisdom and its own necessity.

Mr. SMITH of Arizona. My State prescribing six months, and some of the States three, the same rule as far as the Federal appropriation goes would apply equally to each if there were a compulsory law of the State.

Mr. SMITH of Georgia. Yes, Mr. President, I believe in public education. I believe in the great benefit, not only to the child but to the Nation, of training the children. I regard it as the greatest contribution which can be made by wealth to the welfare of mankind.

A great Georgian, the greatest debater my State ever sent to this body, once declared that "He who saves his country saves himself, saves all things, and all things saved do bless him."

I believe that the Senator who helps to extend national aid to the public schools of the land, who gives the stimulus, the encouragement, the inspiration, and the practical assistance which would come from such a measure as this, not only helps the children but saves his country, and future generations will rise, after this bill is in operation, to call him blessed.

THE SMITH-TOWNER BILL.

Resolution adopted by National Education Association, Milwaukee meeting, July, 1919:

"This association has urged for years that education should be given just recognition by the Federal Government, and that a department of education should be established. The war has so emphasized the importance of education from a national standpoint that the necessity of the immediate consideration of this question is universally recognized.

"Moreover, a commission on the emergency in education, appointed by this association one year ago, acting under the instruction of the association, prepared a bill creating a department of education with a secretary in the President's Cabinet, and authorizing the appropriation of \$100,000,000 to encourage the States in the promotion of education, particularly in the removal of illiteracy, the Americanization of immigrants, physical and health education, teacher preparation, and the equalizing of educational opportunities, and

"This association, through its commission and with the cooperation of other great national organizations, secured the introduction of this bill in the Sixty-fifth Congress, and more recently its introduction in the Sixty-sixth Congress in a carefully revised and perfected form, known as the Smith-Towner bill, H. R. 7 and S. 1017: Therefore

"Resolved, That this association gives its hearty and unequalled indorsement to the Smith-Towner bill, H. R. 7 and S. 1017, now before the Sixty-sixth Congress, and instructs the official staff of this association to use all honorable means to secure its passage."

Mr. SMITH of Georgia. Mr. President, the American Federation of Labor and the American Federation of Teachers have given the measure a hearty indorsement.

I request to print, without reading, their resolutions.

The PRESIDENT pro tempore. If there is no objection, it is so ordered.

The resolutions referred to are as follows:

"Resolution No. 123, by Delegate Charles B. Stillman, of the American Federation of Teachers.

"Whereas in accordance with the instructions of the last convention, the executive council of the American Federation of Labor, working with the American Federation of Teachers and the National Education Association, has cooperated in the preparation and introduction of the educational bill, H. R. 7, which creates a Federal department of education and appropriates \$100,000,000 to be apportioned among the States to aid in the payment of more adequate teachers' salaries, in the equalization of educational opportunities, in the removal of illiteracy, in Americanization of immigrants, in physical education, and in the preparation of competent teachers; and

"Whereas the present period of reconstruction is revealing even more clearly than the preceding period of the war the need for a national educational policy to secure coordination among the States, and to promote national welfare, efficiency, and unity; and

"Whereas the threatened collapse of our schools, which influenced the action of the last convention, is still more imminent now, through the forcing out of our best teachers by the thousands by sheer economic pressure, and through the refusal of young men and women of ability and independent spirit to prepare themselves for a calling which does not offer a self-respecting living; and

"Whereas the ultimate national need is for educated manhood and womanhood, a need which will become more urgent in the period we are entering; and

"Whereas the recent past has forced upon us a realization of the necessity of more effective physical education, of the removal of illiteracy, and of the Americanization of immigrants; and

"Whereas in the fields of vocational and agricultural education, the value of the stimulus to the States of Federal appropriations available to a State on its meeting specified standards, and on the appropriation by that State of equal amounts, has been proved by experience: Therefore be it

"Resolved, That this thirty-ninth convention of the American Federation of Labor, in conformity with the recommendation of the preceding convention, indorse the educational bill, H. R. 7, and instruct the president and executive council to use the full influence of the American Federation of Labor in its support.

"Adopted."

Mr. SMITH of Georgia. Mr. President, the Good Government Club of Cleveland, Ohio, has given the bill its indorsement, which I request to print without reading.

The PRESIDENT pro tempore. Without objection, the request is granted.

The resolutions referred to are as follows:

THE OHIO STATE GOOD GOVERNMENT CLUB,
Cleveland, Ohio, July 12, 1919.

To the honorable United States Senate.

GENTLEMEN—

Whereas it is a deplorable fact, revealed by our selective service conscription, that there are over 5,000,000 people in the United States who can not read or write—thousands useless to their country for lack of understanding, handicapped thereby in transmitting their ideals; and

Whereas there is no reason for such a condition in an enlightened government: Therefore be it

Resolved, That the Federal Government must solve the educational question to facilitate its own growth and development; that democracy is based on an enlightened citizenship; and, further, that it is the province of the Government to preserve its own entity; and that

Whereas the Hoke Smith bill, known as S. 1017, is the best solution thus far advanced to meet the requirements and produce the long-hoped-for results:

Therefore, We respectfully request the United States Government, in Congress lawfully assembled, to give careful consideration to the bill designated above.

Very respectfully, yours,

THE OHIO STATE GOOD GOVERNMENT CLUB.
By C. L. CASE, Chairman.
J. H. DAVIS, Secretary.

Mr. SMITH of Georgia. Mr. President, the Jane Jefferson Democratic Club of Colorado indorsed the bill.

I request to print, without reading, their action.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

JANE JEFFERSON DEMOCRATIC CLUB, INCORPORATED,
Denver, Colo., June 25, 1919.

Hon. HOKE SMITH,

United States Senate, Washington, D. C.

MY DEAR SENATOR SMITH: The Jane Jefferson Democratic Club of Colorado takes pride and pleasure in indorsing the Smith-Towner bill (House bill No. 7, by Congressman TOWNER) introduced by you and Congressman HORACE MANN TOWNER, respectively.

This club is a State-wide organization and has been in existence over 20 years, doing effective organization and political work. Its membership is composed of many of the leading women of Colorado, State and county officials, club leaders, mothers' congress officers, educational leaders—in fact, all women eminent in all walks of life, as well as the great voting rank and file, who, after all, in a democracy, are those who count.

This club believes that the passage of this bill is essential to the best type of after-the-war educational reconstruction, and it congratulates you and Congressman TOWNER on assuming responsibility for this piece of great constructive legislation.

Trusting that the measure may be enacted into law before the adjournment of the special session of the Sixty-sixth Congress, I am,

Very sincerely,

ANNIE PARKER HYDER (Mrs. J. B.),
Acting Secretary of the Jane Jefferson Democratic Club.

Mr. SMITH of Georgia. Mr. President, the New Jersey State Federation of Women's Clubs has indorsed the bill.

I request to print, without reading, their letter.

The PRESIDENT pro tempore. Without objection, leave is granted.

The letter referred to is as follows:

NEW JERSEY STATE FEDERATION OF WOMEN'S CLUBS,
DEPARTMENT OF LEGISLATION.

June 26, 1919.

To the Hon. HOKE SMITH,

Senator from Georgia, Washington, D. C.

SIR: I am instructed, as representative of the State Federation of Women's Clubs, composed of 200 organizations, aggregating 22,000 women of this State, to write you indorsing H. R. 7, known as the "Smith-Towner bill." We feel that the need for a system such as outlined in the bill is great, and we believe that this need has been capably met in this proposed legislation. We respectfully ask, therefore, that you act favorably on this measure.

Very truly, yours,

JESSIE BUCHANAN,
Secretary.

Mr. SMITH of Georgia. The New York Section of the Council of Jewish Women has indorsed the bill.

The letter referred to is as follows:

NEW YORK SECTION OF THE COUNCIL OF JEWISH WOMEN,
New York, July 15, 1919.

Hon. HOKE SMITH,

Senate Chamber, Washington, D. C.

MY DEAR MR. SENATOR: I have to-day written to the Hon. WILLIAM S. KENYON, chairman of the Committee on Education and Labor; Hon. WILLIAM M. CALDER and Hon. JAMES W. WADSWORTH, Jr., urging them to do everything they can to support your national education bill, as follows:

"The New York Section of the Council of Jewish Women, comprising over 3,500 members, heartily indorses the national education bill introduced by Senator HOKE SMITH, and respectfully urges you to do everything you can to secure its passage.

"This bill provides for a Federal department of education to aid the States in the work of abolishing adult illiteracy, of carrying through an effective Americanization program, of providing physical education and health service for school children and adults, of securing better teacher training and compensation, of assuring standardization of educational facilities throughout the country. This bill is the most far-reaching national education bill ever proposed, and its passage would result in great benefits to our country."

Very truly, yours,

TISSIE T. LEHMAN
(Mrs. Irving Lehman),
Chairman Committee on Legislation.

Mr. SMITH of Georgia. The League of Foreign-Born Citizens has indorsed the bill.

The resolutions referred to are as follows:

"Whereas there is now pending before the Congress of the United States a bill known as the Smith-Towner bill creating a department of education, with a secretary in the President's Cabinet and authorizing an appropriation of \$100,000,000 to encourage the States in the furtherance of education; and

"Whereas the passing of said bill will promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; will provide for cooperation with the States in the education of such persons in the English language, the fundamental principles of government and citizenship, the elements of knowledge pertaining to self-support and home making, and in such other work as will assist in preparing such illiterates and foreign-born persons for successful living and intelligent American citizenship; and

"Whereas the grave menace of illiteracy and of the nonassimilation of the foreign born was made strikingly manifest during the war; and

"Whereas no problem of reconstruction more intimately concerns the development of a sound citizenship and a complete Americanism amongst the peoples dwelling in our midst; and

"Whereas we believe that a great advance in solving the problem of illiteracy and building for a more complete Americanism will be accomplished through the wider use of the common language, English, as provided for in the proposed law: Therefore be it

"Resolved, That the League of Foreign Born Citizens, numbering many thousands of peoples of different nationalities united in love and loyalty to America and to its institutions, does hereby indorse and urge the passage of the Smith-Towner bill; and be it further

"Resolved, That a copy of these resolutions be sent to the members of the committees of the United States Senate and House of Representatives, and to the Senators and Representatives from the State of New York: and be it further

"Resolved, That the chairman of the committee on legislation, or some other member to be designated by the president, be present in Washington at any date or dates that may be fixed for public hearings on said bill."

Dated New York, July 17, 1919.

LEAGUE OF FOREIGN BORN CITIZENS,
By NATHANIEL PHILLIPS, President.
By CHAS. HENRY LEE,
Administrative Secretary.

Mr. SMITH of Georgia. Mr. President, the education department of the General Federation of Women's Clubs has indorsed the bill.

To members of the General Federation:

America's women have always championed public education. We now have an opportunity unprecedented in the history of our country to do effective service in support of this great cause.

There is before Congress a bill, introduced as House bill 7, by Congressman HORACE MANN TOWNER, of Iowa, and as Senate bill 1017, by Senator HOKE SMITH, of Georgia, which is the most important educational measure ever proposed in the United States.

This bill provides for the establishment of a Federal department of education, with a secretary of education in the President's Cabinet, and for an annual appropriation of \$100,000,000 with which to aid the States in stamping out illiteracy, in Americanization, in the equalization of educational opportunity, and the improvement of rural schools, in the promotion of health education and recreation, and in raising the standards of teacher training and compensation.

The measure is as nearly perfect as it is possible to prepare, and has the enthusiastic support of the General Federation of Women's Clubs; of the National Education Association; of the American Federation of Labor; of the American Federation of Teachers; and of the Mothers' Congress and Parent-Teachers' Association.

Thoroughly democratic, and absolutely necessary, unless we are to lose the fruits of our victory over aristocracy and absolutism, this measure has unlimited potentialities for good, and must not be allowed to fail. Its passage will mean more to the cause of education in the United States than any law ever enacted by Congress.

Cordially, yours,

THE EDUCATION DEPARTMENT.

Mr. KING. Mr. President, I should not detain the Senate but for a statement made by the Senator from Georgia [Mr. SMITH], which I construed as a criticism of the Catholic Church. I do not belong to that religious organization, but I believe its members, in their opposition to the measure discussed by the Senator, are inspired by different motives than those with which they are credited by the able Senator from Georgia; or, perhaps, I should say additional motives.

Mr. SMITH of Georgia. Mr. President—

The VICE PRESIDENT. Does the Senator yield to the Senator from Georgia?

Mr. KING. I yield.

Mr. SMITH of Georgia. I did not credit them with any motive. I gave the grounds upon which they were criticizing the bill, and I showed that the bill did not contain the provisions that were found in the criticism. I attributed no motives to them, but I said they had been misled as to the real terms of the bill.

Mr. KING. Mr. President, I may have misinterpreted the remarks of the Senator and of course I accept his statement as

to the meaning he sought to convey. But what I desire to state is this: Within the Catholic Church are millions who believe in local self-government, and the splendid individualism which Christianity inspires. They see in legislation which strikes at the roots of personal liberty and individual responsibility and the rights of the sovereign States a menace to our Government and its institutions. In my opinion the opposition of the Catholic Church rests largely upon ground which ought to appeal to all patriotic Americans, namely, that this bill is in line with policies and influences which are at work in the land to weaken individual initiative and character, the spirit of independence, and personal responsibility, the desire and the capacity for local self-government, and to reduce the States to feeble and helpless subdivisions of a powerful, paternalistic government, whose authority is to be supreme in local as well as in national concerns. I believe that many members of this church fear the efforts to standardize the lives and thoughts of the people as well as the social, political, and economic conditions in the land. They fear as many others fear the evils of this design to secure uniformity in education and in all things possessing social value. The Procrustean bed is as deadly and destructive in education and progress as it is in its physical application.

Mr. SMITH of Georgia. Will the Senator call attention to any provision in the bill to that effect; and will he not read the provision which expressly declares that that shall not be done?

Mr. KING. Mr. President, the able Senator knows that the centripetal forces operating in this Republic—and this bill is one of the manifestations of such forces—tend to bring about a standard of uniformity in the lives, in the thoughts, in the customs, in the habits, and in the views of the people of the United States, and that standard of uniformity is to be determined in Washington by the forces of bureaucracy and not by the people themselves, or as the result of evolutionary forces operating in the local communities and States.

Mr. President, I fear that the doctrine taught by my distinguished friend is not democracy; it is not even Hamiltonianism. In my opinion, Mr. Hamilton would have repudiated some of the policies now advocated by Democrats because of their clear invasion of personal rights and the prerogatives of the States. While Hamilton believed in a strong National Government, he clearly distinguished between national concerns and questions of a domestic and local character. He strongly contended for the rights of the States, and said before the New York constitutional convention that the State governments are essentially necessary to the form and spirit of the general system.

Jefferson declared that the States must be preserved, and his first inaugural address has been the chart and compass by which our course has been determined. The Democratic Party has been the militant champion of democracy, the defender of personal liberty, and the protector of the States against the consolidating forces which have threatened this Republic. It has been the interpreter of the Constitution, and the foe of the centralizing and socialistic currents which have sought to engulf the States and submerge the spirit of local self-government.

The contest at the period of the Civil War was to preserve the Union against what might be denominated decentralizing tendencies, but the struggle now is to save the States from the centralizing forces operating through the Federal Government.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER (Mr. GOODING in the chair). Does the Senator from Utah yield to the Senator from North Carolina?

Mr. KING. I yield.

Mr. SIMMONS. Does not the Senator think that this particular bill, making this appropriation, goes very much further than any other bill we have passed making general appropriations to be distributed among the States, to safeguard the control and the regulation of the expenditure of that money by the States?

Mr. KING. Mr. President, I agree with the Senator.

Mr. SIMMONS. It specifically, in direct terms, provides against any interference by the National Government with the administration of the funds by the States.

Mr. KING. I assent in general to what the Senator has said.

Mr. THOMAS. Is it not, however, the entrance of the camel's head into the tent, to be followed inevitably by his whole body?

Mr. KING. The Senator from North Carolina knows that if we establish this Federal agency to aid in education, those safeguards in time will be thrown off and there will be established in Washington an autocratic power that will standardize and bureaucratize and reduce to a dead-level of uniformity the educational system of the States of the Union. Not only that; it will not be content with standardizing education, of securing uniformity in educational activities, but it will standardize the

thoughts of the people, and if the people of the Senator's State are not in harmony with the Federal system of thought, then they will be denied appropriations, or pressure will be brought by the Federal Government to compel the people of the State to renounce views which are regarded as heretical. We are to have an orthodox educational system and a cellular uniformity in the social and political structure. Germany standardized everything; her philosophy finally produced uniformity and pernicious policies.

A paternalistic government can not survive when individuality and freedom abound. A bureaucratic government is impossible without uniformity in administrative as well as in the substantive matters. We standardize our public buildings, our ships, our Federal policies, and shall we do as Prussia did? The German Confederation destroyed the power and vitality of the German States; but it built up a military autocracy that sought to crush the world.

The progress of the world comes from heterogeneity, rather than from homogeneity. What is needed is not protoplasmic masses, but active contesting units. The civilizing force of Christianity is found in the doctrine that each individual holds his destiny in his own hands. He is saved not in groups but individually, as a result of his own efforts and the purity and righteousness of his own life. Uniformity, like consistency, is the vital thing to little minds. It is likewise a stumbling block to progress.

Mr. President, we need variety in life, differences in the thoughts and activities of different sections. I want the Senator's State to engage in rivalry with my State, and I want to see my State struggling for primacy in the intellectual and educational fields of our country. But the Senator by his policy, and that is the policy of so many men in the country, wants the power of the Federal Government exerted in the States to control and influence their domestic affairs. The crusade is now on to have the Federal Government control the States, build their highways, care for the public health, educate the people, and take over the police powers reserved by the people to the States. This will secure uniformity; but it will likewise destroy this Republic.

Mr. SMITH of Georgia. Mr. President, the Senator stated that I desired uniformity, and yet, if he will look at the bill, he will see that it contains the following proviso:

Provided, That courses of study, plans, and methods for carrying out the purposes and provisions of this act within a State shall be determined by the State and local educational authorities of such State, and that this act shall not be construed to require uniformity of courses of study, plans, and methods in the several States in order to secure the benefits herein provided.

The Senator may say that he fears uniformity, but he should not say that I desire uniformity when in such express language in the bill I have declared that the bill shall not create it.

Mr. KING. The Senator may interpret the bill as he desires, and defend it as eloquently as he does, but he knows that federalism, and that is what his bill stands for, means uniformity and a subservience of State authority and a decadence of local power and the spirit which makes for independence and growth.

When we create a Federal agency as powerful as this will develop to be, the end will be inevitable, and it will be as I have indicated. Of course, this bill is only one of a series which in the aggregate will result in the evils of which I am speaking. This bill is but symptomatic of a disease which is affecting the body politic.

Mr. SMITH of Georgia. I do not know it, but that is not what I object to. The Senator said that I desire uniformity. The language used by the Senator was that I desire uniformity. The Senator is mistaken, and I call his attention to the provisions of the bill which prevent uniformity.

Mr. KING. The Senator, I repeat, desires it because the Senator, as a highly intelligent man, must know from the lessons of history and from the operations of Federal agencies, that if the bill functions at all it will eventually produce uniformity.

Mr. SMITH of Georgia. I know nothing of the sort. I do not desire uniformity, and if I believed what the Senator believes I would not vote for the bill.

Mr. KING. I have been diverted from what I was about to say respecting the Catholic Church. I stated, when I was interrupted by the Senator, that in my opinion the opposition from the Catholic Church—and the Senator said that the Catholic Church in America is opposing it.

Mr. SMITH of Georgia. No; I did not say the Catholic Church. I said there were organizations of Catholics that were opposing it.

Mr. KING. I accept the qualification.

Mr. SMITH of Georgia. I would like the Senator to quote me correctly when he quotes me.

Mr. KING. I desire to quote the Senator correctly. He said that there are organizations in the Catholic Church that are opposed to the bill.

Mr. SIMMONS. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. SIMMONS. The Senator having restored peace between himself and the Senator from Georgia, I should like, myself, to get back into the good graces of the Senator.

Mr. KING. The Senator is always in my good graces.

Mr. SIMMONS. I want to say to the Senator that in asking the question a little while ago I did not mean at all to reflect upon his ardent championship of State rights. I meant, on the contrary, to suggest to the Senator that so far as I understood the bill—I do not claim to understand it thoroughly—it seems to me that it is one of the first bills of this character that was drawn by some one who was a State rights man, because it so carefully and so minutely and in such great detail guards the rights of States and tries to avoid anything like centralization. I wanted to put that thought in the Senator's mind with a view of suggesting that the particular measure did not seem to come in the category of bills which he has heretofore denounced as interfering with the rights of States.

Mr. KING. I have not time, and it was not my intention when I rose, to examine the bill in its details and differentiate it from other legislation which I regard as destructive of the rights of the States and the rights of communities, and destructive of that individualism, that spirit of personal independence, which lies at the basis of free institutions and which must persist if the Republic endures. The bill is more dangerous than some of those that bear more strikingly upon their countenances the determination to destroy State lines, because it is so seductive and alluring. It burglarizes while it professes friendship and to be the bearer of beneficent gifts. It steals into the States under the guise of an angel of mercy and of light for the purpose of striking down the individuality and personal independence of the inhabitants of the States and ultimately strangling the spirit of community life and of State rights.

I am not contending for the assertion of State rights that would dismember the Republic, but I am contending for the preservation of the States so that the Republic may be preserved. The Supreme Court of the U. S. has said over and over again that the Union can not be preserved unless we preserve the States. Anyone who is familiar with the legislation of Congress during the past 15 or 20 years must have reached the conclusion that there is a persistent effort to minimize the States and aggrandize the Federal Government, to debauch the people, to enervate them, to destroy their love of local self-government, their pride in their own States and in their achievements.

It must be apparent to all that the movements for Federal participation in the domestic affairs of the States can have but one end, the submergence of the States, and the current carrying them will consolidate all authority in a centralized government functioning in Washington.

I shall now try to complete the sentence I have started several times about the Catholic Church, but I have been so interrupted that it has not been completed: The opposition of some of the Catholic organizations, to quote the Senator from Georgia, in my opinion, does not rest alone upon the ground suggested by the Senator, but is placed upon the ground that they believe in the rights of the States. They can see what the result will be of these constant assertions of authority by the Federal Government to speak to the States, to go into the States, to engage in the activities of the States, and to contribute to the performance of the duties and the responsibilities of the States.

Many of the representatives of the Catholic Church have lifted their voices in behalf of democracy. Their great prelate, Cardinal Gibbons, has been a tower of strength in this great Republic in behalf of democratic institutions and of free thought and of individual development and of the maintenance of the rights of the States. And his voice has not been as a politician, but as a patriotic American, who loves his country and desires its welfare.

Mr. President, this is a seductive and deceiving measure. It affects to make contributions to the States for educational purposes, leaving to them the right to determine how the money shall be expended. My good friend the Senator from Georgia expatiates upon the illiteracy in the United States and makes an eloquent plea for the wiping out of illiteracy. We can not disagree upon the question of the evils of illiteracy; our differences relate to the methods of promoting education. The State which I have the honor in part to represent places a tax upon every individual in the State of \$70 per annum for education. I should not object to a tax of \$100 upon every individual if that

were necessary; but my position is that the question of education is one for the States themselves to determine. They will solve this question and will carry on educational work more effectively than can the Federal Government. It is their duty and they will not shirk it.

Mr. President, there is too little regard for the fundamental rights of the States, and a disregard of those rights menaces the Republic.

There are those who believe that the eighteenth and nineteenth amendments vitally affected the integrity of the Nation. There was a time when the States possessed that pride which would have led them to resist these attempts to influence their local affairs and to refuse the benefactions which come from the Treasury of the United States.

I ask my friend from Georgia and my other Democratic friends upon this side of the Chamber, What has become of the democracy of the Democratic Party? What has become of the love for the principles of Jefferson and Jackson and the fathers of the Democratic Party? They recognized in the sovereign States nations competent to manage their own affairs.

Mr. Jefferson said this was a Republic composed of republics. We are trying now to destroy the very foundations of the Government, namely, the Republics, the 48 States, which are nations, to deprive them of their sovereign powers and to superimpose upon them an all-powerful, dominating, pervasive Federal Government which will enter into their lives and control their education and their thoughts.

Speaking for myself, I do not want men in Washington to come into my State to tell us what educational system we shall adopt. That is our business and not the business of Federal officials. I do not want the Government in Washington to say to my State, "If you will put up \$100,000 a year for educational purposes, we will match it," or "If you will put up \$10,000 a year to teach the blind, we will match it by \$10,000 from the Federal Treasury."

Mr. President, such appropriations as that carried on from year to year in the end will do what? They will atrophy the States. The States will say in time, "If we can get a hundred thousand dollars from the Federal Treasury for education, why not get two hundred thousand dollars? Why not have the Federal Government pay all and take over the educational system?" Can it not be seen that we are undermining the morality of the States and destroying the moral fiber of the people and overthrowing local self-government?

I have received petitions asking the Federal Government to take over the highways in the States. I received a letter in which the writer said, "There have been spent so many thousands of dollars in Utah on roads by the Federal Government, and the State has had to pay its share. Why not have the Federal Government do it all? We would then have only one overhead; the personnel would be limited and there would be economy in having but one system instead of a divided responsibility."

It will be found that within a very few years the same condition will prevail as to the Public Health Service. We are appropriating tens of millions of dollars for the Public Health Service. Its officials are going into the States and intruding into the activities of health organizations therein. They are endeavoring by the exercise of their persuasive powers to have the States match the Federal appropriations. In two of the Western States a representative of the Public Health Service has recently been working with the legislatures or State officials to induce them to make appropriations to match appropriations made by Congress; the movement goes on.

We find reformers, hysterical individuals, and faddists besieging Senators and Representatives for appropriations for purely State purposes, urging plans that will call for like amounts from the States. This is calculated in the end to cripple the States, to rob them of their independence and of their capacity for self-government.

I make the prediction that the bill of the Senator from Georgia, if it shall pass, will have this effect: The Senator from Georgia may not live long enough and I may not live long enough to verify the prophecy, and therefore I am safe, perhaps, in making it; but judging human nature as we know human nature, and judging the future by the past—and that is the only safe guide, the only lamp by which we may safely walk in the perilous steps and paths of life—judging the future by the past, the bill of the Senator from Georgia will ultimately mean that the States will cease to function along educational lines and they will leave the matter of education entirely to the Federal Government.

That result will follow just as surely as the night follows the day. If some State with limited resources—and the Senator alluded to some that were not rich—can get appropriations

from the Government for their educational systems, more and more will they plead poverty and demand Federal contributions; more and more those men who are in favor of a uniform system of education will insist upon the Federal Government extending its appropriations and its activities, until finally the plan of matching appropriations by the Federal Government will culminate in the assumption by the Federal Government of control of the entire educational system of the States. So patriotic Catholics and patriotic Protestants ought to be alive to the danger of this bill and to the insidious propaganda which is being carried on in its behalf.

Mr. SIMMONS. Mr. President, the Senator has made it very clear that the ground of his opposition to this measure is his apprehension that it will interfere with the rights of the States and lead to a concentration of power in the Federal Government, which he thinks is undesirable.

Mr. KING. My opposition goes a little further than that.

Mr. SIMMONS. I will ask the Senator to let me finish the statement. The Senator made the same objection to quite a number of similar measures which have been presented to the Congress and discussed upon the floor of the Senate. The Senator is consistent; he opposes this measure as he opposed the other measures, the public-health scheme and the good-roads scheme, all upon the ground that he apprehends the result will be an invasion of States rights; but is the Senator supported in his position that the Catholic Church is opposing this particular measure upon the same ground that the Senator is opposing it?

Is not the Senator mistaken in that assumption, and is not the fact that the Catholic Church, while opposing this measure, as the Senator opposes it, is not opposing the other measures to which I have referred? Has the Catholic Church offered any opposition to the great appropriations, one of which has just been voted by the other House and will be voted here, for good roads or to similar appropriations that have heretofore been made? Have they offered any opposition to the appropriations to which the Senator just referred with respect to our health regulations and laws?

Have they offered the same organized opposition, if it is organized—and I understood the Senator from Georgia to intimate that it is—to the other bills that will tend, if this bill tends, to invade State rights, and will tend to invade them to a much greater extent than this bill, because in them the rights in the States are not safeguarded to the extent and the degree that they are in this bill?

The question I mean to ask the Senator is, Is he not mistaken in assuming that because he opposes this measure for the reason of its supposed interference with States rights the Catholic Church is opposing it for the same reason, in view of the fact that the Catholic Church has not offered this kind of opposition or any opposition, so far as I know, to other measures of similar import?

Mr. KING. In the first place, Mr. President, let me correct the Senator. I have not taken the position that the Federal Government in the exercise of its constitutional powers may not appropriate money for public-health purposes. There are certain national duties and responsibilities in regard to the public health placed upon the Federal Government, and with respect to the assertion of those powers which it clearly possesses I have not complained. What I referred to in regard to the Public Health Service was that it was not content with the assertion of legitimate power, but it was going into the States and attempting to take over the activities which belong to the States themselves. Its officials purpose entering the Senator's State and other States and examining the children, looking after the health of the people, and passing upon the sanitary conditions of the schools and rural communities. The Senator will admit that this work belongs to the States under our theory of government and does not come within the purview of the Federal Government.

Mr. SIMMONS. I am not complaining of that; the Senator and myself would not disagree very much along those lines.

Mr. KING. I think not.

Mr. SIMMONS. The point I am making is—

Mr. KING. I will come to that in a moment if the Senator will pardon me.

Mr. SIMMONS. The point I am making is that the Catholic Church is not objecting to that and is not objecting to any other measure of like character, and therefore I think the Senator is probably wrong in ascribing their objection to this measure to the ground upon which he objects to it.

Mr. KING. Furthermore, Mr. President—I have answered, now, the question of public health—the Senator puts me in the category of denying the authority of the Federal Government to do anything with respect to highways. I do not take that po-

sition at all. I recognize that under the Constitution the Federal Government has the power to provide for military and post roads, and I admit that it may lawfully assert the power to construct post roads; but what I have objected to is the attempt by the Federal Government, under the guise of post roads, to take over the entire highway system of the States; and the people, seduced by the activities of the Federal Government with respect to highways, are now in many sections demanding that the Federal Government take over the construction of all highways. I called attention to that more by way of analogy, to show what the result would be if the Senator's bill became a law—that what might be justified under the Constitution in the end will be used as a pretext to oust the States of control from matters which belong to them, and to place upon the Federal Government responsibilities which rest upon the States.

Now, I come to the suggestion made by the Senator from North Carolina. He seems to challenge my right to speak for the Catholic Church. I do not deny his challenge. I do not belong to that great organization that builds for the future and that has a profound philosophy in its creed, and system in its organization, and has dreams as to its future spiritual and moral power in the world that command even the admiration of those who oppose it. The Senator from Georgia spoke of the Catholic organizations which are opposing this bill and attempted to interpret their opposition as resting only, if I understood him correctly, upon what he alleged to be their misconception of the power of this bill to control absolutely and in a plenary way the educational system. I proceeded to state that I did not think the position of the Senator from Georgia was quite accurate; that in addition to those reasons for their opposition to the bill, in my opinion they were opposing it upon the further ground that it was an invasion of the rights of individuals and the States; and I alluded to the fact that Cardinal Gibbons had repeatedly lifted his voice in this Republic in behalf of democracy and personal liberty and the maintenance of the right of local self-government. His position, and that of other Catholics, if I understand them, is that they are not in harmony with any scheme which would weaken the States, affect the rights of the people, or increase the authority of the General Government beyond constitutional limitations.

Mr. SMITH of Georgia. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Gooping in the chair). Does the Senator from Utah yield to the Senator from Georgia?

Mr. KING. I yield.

Mr. SMITH of Georgia. I desire to call the attention of the Senator to the fact that the Benedictine Education Association is one of the educational associations of high standing in the Catholic Church, and it criticized this bill upon the ground that it would create a uniform system and that the bill took away from the States the right to manage their public schools; and it used this language:

Federal cooperation with our free and self-controlled educational activities we recognize and welcome as an ally of educational freedom.

Again, the Bureau of Education of the National Catholic Welfare Council recently issued an address, using this language:

The Bureau of Education of the National Catholic Welfare Council believes in public education and the public-school system. It will be ready to cooperate in all desirable movements for the improvement of public schools, provided such movements will not curtail the rights of the people to maintain and patronize private and parochial schools. It will stand upon the platform that it is the duty of every American citizen to contribute to the support of public schools, but it is his right to send his children to any type of school he may wish, provided such school is truly American in its teachings.

From these publications, in which they declared that they would welcome Federal cooperation and Federal aid, but they wanted to retain for the parent the right to send his child wherever he saw fit, I simply inferred that they were misled about this bill.

Mr. KING. Mr. President, of course, I can not and do not speak for the Catholics or Catholic organizations. I have no doubt that there are some members of the Catholic Church that are impregnated with this new federalism, this new-fangled idea that the Federal Government should run everything, and they perhaps would welcome the appropriations by Congress for purely State purposes; but I will not modify the statement which I made a moment ago, that in my opinion a large proportion of the members of the Catholic Church have such a high regard for our form of Government and the perpetuity of democratic institutions, and believe so strongly that the Republic can only be preserved if we preserve the right of local self-government, that they will rest their opposition to this bill upon broader grounds than those which the Senator has presented for our consideration.

I repeat that this measure, which upon its face seems to be in the interest of education, will in the end be injurious to the

cause of education. I would rather have a free people, an independent people, who believe in themselves and in their own high destinies, than to have a great imperial government functioning in Washington or elsewhere, and that controls the lives and thoughts and activities of the American people.

Mr. President, the Senator from North Carolina has alluded to roads and to the public health. Does he not distinguish between the power of the Federal Government to build post roads, and to prescribe certain regulations respecting interstate commerce under which quarantine regulations may legitimately be provided by the Federal Government, and the power or right or duty of the Federal Government to enter the States and assume control of the education of the States? What is there that determines the growth, the prosperity, the progress of a people? What is it that is going to shape the future of this Republic? The education of the people.

If we permit the bureaucratization of education, if we permit a centralized agency here to determine how we shall think, to determine the schoolbooks which we shall have, to determine the mode of thought of the people, to arrange the fountains of inspiration, and to guide the lives of individuals and of children—if we do that, then, Mr. President, it is manifest that we are destroying the foundations of the Republic.

I deny the power and the authority of the Federal Government to tax the people of Utah or of Massachusetts to educate the people of Texas. The Senator from Georgia spoke about the general welfare. We hear a great deal about the general welfare or the public welfare. That is the old doctrine of Hamilton carried to the "nth" degree—the public welfare. Whenever legislation is projected which can not find any constitutional foundation upon which to rest, some men arise and say it is for the general welfare, and that under the general-welfare clause of the Constitution of the United States we may do these things.

Of course, I do not need to talk to lawyers about what the general-welfare clause is and what the limitations are with respect to the powers of the Federal Government. The Federal Government is the creature of the States. The States reserved to themselves the right to govern themselves, to determine their own internal and police affairs, and one of the highest responsibilities and functions of a State is to provide a system of education. I deny the right of the Federal Government to tax the people of New York to educate the people of my State, and I deny the right of Congress to take money out of the Treasury of the United States and to disburse it throughout the United States for purely local purposes.

I know that it will be said these views are obsolete. Senators have said to me upon a number of occasions when I have been pleading for the rights of the States that such views would have been sound a few years ago, but that they have been outgrown. The contention is that this is a progressive age, and progress is to be measured by our departure from fundamentals. There are some things that never grow old. Age does not sanctify error or transform a violation of the Constitution into a right. The Constitution is the Constitution now, as it was when it came from the hands of the fathers. It should be as sacred now as in the past; and those who are sworn to defend it ought to be the first to resist encroachments or measures that invade the States.

I did not rise for the purpose of discussing the measure so ardently championed by the Senator from Georgia, but merely for the purpose of putting into the Record what I believed to be an additional reason for the opposition of the Catholic organizations referred to by the Senator from Georgia to the bill which he seeks to have enacted, but the various questions propounded have lead to wide discussion. The Senator from Wyoming is anxious to proceed with the consideration of the appropriation bill which is now before the Senate, and I feel it would be improper to trespass at any length upon his time. At some opportune time I shall discuss the Smith-Towner bill, analyzing its provisions and pointing out what I conceive to be some fundamental objections thereto.

However, before resuming my seat I desire to submit a few general observations more or less germane to it.

I have always been deeply interested in education and have encouraged in every possible way the development of the educational system of the State in which I live. I appreciate the importance of education and realize that the progress of the world is measured by the educational advancement of the people. Of course, I comprehend in the word education more than mere intellectual development or scientific knowledge. I use the term in a broader sense and include all of those influences and factors—intellectual, scientific, moral, ethical, religious, and spiritual—which operate so powerfully for individual and mass progress and welfare. I am not in disagreement with the Sena-

tor from Georgia concerning the evils of illiteracy, and regret that it exists to the extent we are told that it does.

We must not forget the fact that this is a young Nation and that the progress and development of the American people has been phenomenal. The world does not record a more wonderful development than that which has come to this Republic, and its primacy in the world to-day is the result of those principles of individualism and the desire for local self-government which have so powerfully manifested themselves in this Republic. Our growth has not been a mass growth, but it has resulted from individual growth. My opposition to centralizing policies and legislation which drives individuality from people and the spirit of local independence out of communities is based upon what I regard as impregnable ground, viz, that the triumph of that policy in the end devitalizes individuals, destroys communities and States, and neutralizes those very forces which make for education and progress and for the preservation of liberty. There is something in life more important than mere scholarship or intellectualism.

Perhaps the Greeks in the days of Pericles were superior to any community in the world to-day, so far as pure intellectualism is concerned; and the schoolmen in the Middle Ages were intellectually superior to bodies of our learned men to-day; but the learning and philosophy and the keen intellectual processes of those periods did not save the state or preserve the independence of the people. There are fountains of growth and progress not found in schoolrooms and in books. Intellectuals in our own and other lands are often perverts, mentally and otherwise. Mere book learning never saved and never will save a nation or a people. There are needed in the arid lives of individuals and nations those ethical and spiritual forces which contribute most to those things in life which are noble and beautiful and worthy of perpetuation.

The most potent forces operating in the world to-day for man's progress and advancement are those which we denominate ethical and which produce righteousness and love and charity and mercy and a consuming desire for the triumph of justice.

What some people regard as education is a broad negation of all that is best and most enduring in life and leads to a gross materialism which in the end would destroy civilization. The wealth and the power and the gaudy military trappings of the Roman Empire, though she produced a Cicero, an Ovid, a Tacitus, a Juvenal, and a Horace, did not save her from destruction when the spirit of individualism was destroyed, and the love of local self-government and independence was lost, and the moral and ethical forces which are the propelling and dynamic power in the world were driven from the hearts of the people.

I agree with Senators, we want education—a broad, comprehensive, rational system of education; not one that destroys more than it builds or extirpates virtues and essential qualities, though perhaps less conspicuous, in order to contribute something perhaps more attractive but which is superficial and vitiating.

What is needed in our Nation to-day is character and courage and self-reliance and the spirit of independence and an indestructible love of liberty. But much of our teachings and political talk and action are directed toward destroying the spirit of self-reliance and those rugged, sterling qualities which are found in nation builders—in communities which carry the light of civilization and the standards of moral and spiritual progress.

The great contest now is to preserve the individual and to develop him, or, rather, to permit his development. This "uniformity" of which the Senator speaks is deadly, or will prove to be deadly in its operations. It is not uniformity that we want, but variation, dissimilarity, differentiation, individualism; we want persons rather than masses. The unit of society is the individual. The social organism, its strength, its capacity for service, for happiness, for progress, rests upon the individual units found therein.

I have heretofore pleaded for the rights of individuals, for individual growth, for governmental policies which would not strangle the growth and development and flowering of individuals. I want to see in every precinct and hamlet in this broad land all the qualities and forces which would constitute a progressive State. I have desired to see the development of those virtues and strong qualities which exist in boys and girls in all of the communities of our land, and not have them submerged by a mighty Federal force set in motion in Washington and preserved by Federal appropriations and Federal influences. I have believed in the people, in their capacity for self-government, in their ability to fashion their own destinies, in their competency to work out the problems—social, economic, and otherwise—that come to strong and virile communities.

The hand of the Federal Government deadens and finally crushes; extended as a gift bearer, it ends in becoming a chain

riveter. It has always so proven. The liberties of people have been taken from them by centralized, powerful governments.

I repeat that the progress and education of the people depend upon the forces operating in local communities and the development of those individual virtues and characteristics which so richly endow the sons and daughters of our Commonwealths. I plead to-day, not alone for the rights of the States, but for the rights of individuals, and in pleading their cause I am an advocate of the cause of true education and of genuine progress. I grant that if millions are wrung from the people by taxation and garnered into the Federal Treasury and then disbursed among the people there would be some benefits; there would be a superficial growth, exotic plants would be produced, temporary improvements and advancements would be witnessed. I grant that for a limited period an excellent showing would be made and the picture presented would prove exceedingly attractive. But I am looking beyond that. I see what would follow. Individual initiative and the spirit of self-reliance would be dwarfed, those strong and vitalizing elements which found expression in the New England communities and which have manifested themselves in our local communities and in State life would be atrophied. Little by little the communities would look to the Federal Government for support for their schools and educational system, as well as for the support of local and domestic concerns. More and more the States as sovereign nations, functioning political organisms, would become debilitated and finally the absorptive process would be so complete that the Federal Government would take over the functions, responsibilities, duties, rights, authorities, and powers of the communities and of the States.

Senators speak of precedents. Many wrongs which have finally marked disaster have found precedent for their support. The thought of receiving large appropriations from the Federal Government for education within the States is so alluring that people give countenance to the movement, but often without considering what the consequences will be.

Mr. President, it would be impossible to stem the tide of Federal appropriations for the maintenance of schools within the States if the bill which the Senator from Georgia is supporting becomes a law. Irresistibly the Federal Government will draw to itself functions and powers and authorities now exercised by the States and which under our form of government belong exclusively to the States. There would be no stopping point. Guard this bill as you may, surround it with all the restrictions the Senators from Georgia and North Carolina mention, in the end those limitations will be whittled away and finally entirely removed, and the States, corrupted and enervated by these huge appropriations and by the propaganda which will sedulously be carried on by Federal officials who will have benefited by the administration of the measures, will demand appropriations sufficiently great to care for the entire educational system within their borders. And when that day comes, as it will, the school system will not be that devised by the people of the State, but it will be formulated by officials in Washington, by a bureaucracy, narrow, dogmatic, tyrannous, and oppressive, as all bureaucracies are. It will be inspired by the imperialistic ambition of the time, by the governmental point of view, by the atmosphere which centralized power always creates. Rules, regulations, edicts will be promulgated by it having the force of law, and their enforcement in all the States will produce that deadly and paralyzing uniformity to which I have referred.

Mr. President, back of this measure lurks the spirit which is hostile to personal independence, to local self-government, to the preservation of the States, and to the development of that condition of freedom which must persist if this Republic endures. I am opposed to this bill because I believe in education and desire to preserve the forces and spirit which will give to the people knowledge and a genuine system of education, and also because I wish to see preserved the integrity of the States, their sovereign powers, their fundamental rights, which must persist if this Government survives.

I am opposed to this bill because I believe in our form of government and regard this bill as an assault upon the rights of the States and upon the Constitution itself.

The American people realize the importance of education, and in every part of the land there is an irresistible movement in favor of education. We can not, of course, secure all of the advantages that flow from society in a day. As stated, the progress of this Republic has been remarkable. Every American should be proud of what has been done by the States of this Union. I ask Senators to look at the new commonwealths carved out of territory some of which was acquired as late as the treaty of Guadalupe-Hidalgo. The great desert wastes beyond the Mississippi Valley which Daniel Webster denounced as of

no value now possess mighty commonwealths. There the seats of learning are found, civilization flourishes, peace and prosperity abound, and millions of strong, progressive, Christian people are devoting themselves to the economic, social, and political problems with which they are confronted. They are solving these problems, and in their solution they are developing character, strength, manhood, and womanhood, and those virtues which come from God himself. Measures like this and similar ones operate as an injustice to this vigorous and mighty people. It is a declaration of their lack of competence to govern themselves and to discharge the high responsibility resting upon them as sovereigns in sovereign States.

Mr. President, in these Commonwealths, as well as in all parts of this Republic, schoolhouses are being built and improved plans formulated for educational development. The tree does not grow overnight, and it is not developed by binding around its trunk strips of wood though similar in structure or gathered in forests of other lands.

Mr. President, let the States alone. Let the people in happy rivalry discharge the duties of American citizens. Do not destroy State pride; rather let us cultivate it and encourage it. Already there is splendid and progressive rivalry between the States to see which can do the most for education, for public health, and for those enterprises and movements which are indicative of social progress. The records of some States are superior in one line, but not in all lines; but the success of one Commonwealth in any social or educational movement becomes an inspiration for all other States. The spirit of competition makes for progress and growth. Individuals compete, States compete, and we should not adopt a course that will emasculate or weaken the spirit of independence which should be the crown of glory of all Commonwealths in this Republic.

LINCOLN'S GETTYSBURG ADDRESS.

Mr. THOMAS. Mr. President, it is not my intention to take part in this discussion. I do not regard the present subject as one that is at all pertinent to the business now before the Senate; but I comfort myself with the reflection that whatever calamities may be in store for us at this session of Congress, the calamity of the enactment of the educational bill will not be one of them.

My purpose in rising is to direct the attention of the Senate to the fact that this is the anniversary of the birth of the greatest American, Abraham Lincoln, and that we should not permit our business affairs and our business discussions to interfere with our custom of reading into the Record the immortal declaration of the immortal Lincoln at Gettysburg. With the permission of the Chair, therefore, I will read that address:

"Four score and seven years ago our fathers brought forth upon this continent, a new Nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that Nation, or any nation so conceived, and so dedicated, can long endure. We are met on a great battle field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives, that that Nation might live. It is altogether fitting and proper that we should do this.

"But, in a larger sense, we can not dedicate—we can not consecrate—we can not hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather, to be dedicated here to the unfinished work which they who fought here, have, thus far, so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that, government of the people, by the people, for the people, shall not perish from the earth."

RELIEF OF DISTRESS ABROAD.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed in the Record:

To the Senate:

In further reference to Senate resolution No. 416, I transmit a report by the Secretary of State, inclosing additional information on the subject of "actual conditions and the needs and necessities of the women and children of various distressed

nations, countries, or foreign dependencies," as contained in copies of a telegram from the American commissioner at Constantinople dated February 2, and dispatches from the American ambassador at Paris, the American minister at Warsaw, and the American commissioner at Vienna, dated January 21, January 18, and January 17, respectively.

WOODROW WILSON.

THE WHITE HOUSE,

12 February, 1921.

DEPARTMENT OF STATE,

Washington, February 10, 1921.

The President:

In further reference to Senate resolution No. 416, requesting the Secretary of State "to obtain at once, through the consular or other representatives of the United States in foreign lands, accurate information as to the actual conditions and the needs and necessities of the women and children of various distressed nations, countries, or foreign dependencies, and transmit the same to the Senate at the earliest possible moment," the undersigned, the Secretary of State, has the honor to lay before the President with a view to its transmission to the Senate, if the President approve thereof, additional information concerning this matter as contained in copies of telegrams and dispatches inclosed herewith. These copies include a telegram from the American commissioner at Constantinople, dated February 2, and dispatches from the American ambassador at Paris, the American minister at Warsaw, and the American commissioner at Vienna, dated January 21, January 18, and January 17, respectively.

Respectfully submitted.

BAINBRIDGE COLBY.

(Inclosures: 4, as above.)

[Telegram from American commissioner, Constantinople, Feb. 2, 1921.]

SECRETARY OF STATE,

Washington, D. C.:

(42. Feb. 2, 5 p. m. From high commissioner.)

Department's circular dispatch No. 8, January 7. The loss of man power as a result of the war in the former Ottoman Empire, Russia, Bulgaria, Rumania, and the Caucasus was equal to if not greater than losses in western Europe, where mortality was reduced by medical care. Furthermore, it was the able-bodied men especially who were attacked during Greek and Armenian deportations and massacres.

There has been a continual loss of able-bodied men since the armistice on account of prolonged fighting in Russia, the Caucasus, and Anatol between Tartars, Georgians, Armenians, Greeks, and Turks, and massacres have been perpetrated by all of these races. Besides all this, the French and British have had fighting almost constantly in Cilicia and Mesopotamia, respectively. This situation has resulted in the Near East in great numbers of widows and orphans of all nationalities. There are about 53,000 orphans, 2,000 of whom are in Constantinople alone.

On account of the disturbed political conditions, people are constantly being driven from their homes and are becoming refugees dependent upon charity. The transfer of Thrace by Greece resulted in the flight of 40,000 Bulgarians to Bulgaria; Russian refugees are constantly fleeing from the bolshevist, the last of three great evacuations bringing 130,000 people to Constantinople, where 70,000 had already arrived. It is estimated that at least 250,000 Armenian refugees fled from Turkey at the time of the armistice, a majority of whom were women and children. This number has undoubtedly not decreased, and, besides, there are at present thousands of Tartars and Kurds who are refugees. Armenians repatriated since the armistice to Syria and Cilicia have again become refugees and are congregated in the larger towns and cities, while many Turks have also fled and become refugees. The occupation of Asia Minor by the Greeks drove thousands of Turks into exile and also produced several thousand Greek refugees. The destruction of Aidin rendered 30,000 Turks and 10,000 Greeks homeless, and in the region of Ismidt Greek and Armenian refugees increased by about 15,000. The Turkish villages are all deserted.

It is not possible to secure accurate figures or information on account of the absence of any real government in the Ottoman Empire, Russia, and the Caucasus. In view of the above situation it is evident that with the establishment of peace there will be pressing and legitimate need of American charity. American institutions carrying on relief work in Constantinople are the Near East Relief, a unit of the American Red Cross, the Constantinople Chapter of the American Red Cross, the Men-

onite Relief Committee, the Russian Children Refugees Relief. The Y. M. C. A., Y. W. C. A., and American Board of Foreign Missions, although not relief organizations, have, on account of pressing conditions undertaken relief work. Partial statistics show that the above institutions, collectively, expended approximately \$10,000,000 in the Near East during 1920. Generally the work was well done, but there has been a tendency to overlap, thus producing a lack of economic administration. The Turkish Government relief work among Turks is well organized and administered, but on account of present disorganized government the revenues are failing, and the work is beginning to suffer.

The Greek and Armenian charities are under the direction of their respective patriarchs. In many instances these organizations are aided by American funds.

Other foreign relief organizations are Russian, Swiss, French, and English, of which the most important is what is known as the English Lord Mayor Fund.

It is my conviction that in order to promote efficiency and economy an association of American relief organizations in the Near East should be formed so that the work may be administered by one head and thus avoid misunderstandings and overlapping of effort. Such an arrangement would undoubtedly stimulate American contributions. I urgently recommend a prompt formation of such an organization along business lines.

BRISTOL.

(No. 688.)

WARSAW, January 18, 1921.

The honorable the SECRETARY OF STATE,

Washington.

SIR: I have the honor to acknowledge receipt of the department's telegraphic circular of January 7, 7 p. m., instructing me to forward a statement as accurate, full, and impartial as is possible of conditions in Poland; what well-authenticated calls there may be on American charity; how efficiently and economically, in my opinion, the funds now received in Poland are being administered, and what steps are being taken by the Polish Government and local relief organizations to meet the need.

For the sake of convenience, I purpose to divide my statement of conditions in Poland into five subheadings:

1. Crops;
2. Importation and distribution of food;
3. Currency and prices;
4. Public health; and
5. Employment.

1. Any consideration of the food situation in Poland must be based on the knowledge that normally the territory now comprised in Poland grows enough food for its own consumption, and prior to the war was even to some extent a food-exporting region. During the war production fell off to a large extent for several reasons:

a. The direct ravages of war. While Prussian Poland was never fought over, the tide of war flowed back and forth across Congress Poland three times, and in Galicia the Austro-German battle line was fluctuating almost constantly throughout four years.

b. The policy of the Russians during the retreat of 1915 of evacuating the population so as to leave a virtual desert for the advancing Germans. This was most marked in the eastern districts of Poland, and in places hundreds of square miles have lain fallow for five years owing to lack of population to till the soil. Little by little the peasants are making their way back to their fields, but often find dense young forests growing on what was once highly cultivated land.

c. The destruction of agricultural machinery and the requisition of horses by the hostile armies.

d. Perhaps the most important of all, lack of fertilizers, which, being almost wholly of foreign origin, could not be imported.

The crop for the year 1919 was, as judged by war standards, not prewar standards, fair for the acreage planted, but was insufficient to feed the population. Accordingly 250,000 tons of grain were imported from America, which sufficed to stave off actual famine until the crop of 1920. In the spring of last year Poland had reason to believe that she would again be self-supporting in view of the greatly increased acreage planted in the eastern regions. This hope, however, was shattered by:

a. Exceptionally unfavorable weather which reduced the yield of rye, the principal grain, from 16 bushels per acre in 1919 to 10 bushels per acre in 1920 (the prewar average was over 20 bushels). As a result, the crop of the three bread

grains, wheat, rye, and barley, fell off at least 1,150,000 tons, or 25 per cent, and that without considering the effect of the bolshevik invasion.

b. The fact that the moment of harvesting coincided with the bolshevik advance, which covered nearly 40 per cent of Congress Poland and more than half of eastern Galicia. While it is impossible to present statistically the effect of the invasion, it is clear that in the regions where the bolsheviks stayed longest the damage done was very great; in particular, it affected the oat crop, which had not yet been cut. While perhaps there was less willful damage than was believed at first, it is clear that the amount of grain requisitioned both by the bolshevik and Polish armies reduced the crops considerably. The loss has been estimated at about one-quarter for the invaded regions of Congress Poland and Galicia and equal to at least 250,000 tons. In the regions lying to the east of Congress Poland the damage was greater, and there the food situation is desperate.

c. The bolshevik invasion resulted in a further requisition of horses and in increased drafts for the army, which rendered the harvesting yet more difficult.

Summarizing, then, the comparative figures of the grain crops for 1919 and 1920, we find the following figures (excluding East Galicia, for which no statistics for 1919 are available):

Crops in terms of a thousand tons.

	1919	1920
Wheat.....	473	512
Rye.....	3,222	1,875
Barley.....	747	688
Oats.....	1,270	1,541
Total.....	5,712	4,616
Total bread grains, wheat, rye, and barley.....	4,442	3,075

If data for East Galicia were available, the decrease in crop for the country as a whole would appear somewhat less.

While this shortage was partially made up for by the increased potato crop, it remains true that in spite of the increased acreage Poland will have until the next harvest considerably less food than she had a year ago, when it was considered necessary to assist her with credit for the purchase of American grain. The extreme shortage of railway rolling stock makes it impossible to transport to the cities anything like as many potatoes as they would otherwise use—potatoes being five times more bulky for their food value than grain.

2. Having examined the state of the crops, it is next necessary to consider the means taken by the Polish Government to insure their equitable distribution and to make good the deficit. As in every other country the consumption of the rural population in Poland can not be easily controlled and it has necessarily been greater than that of the city population.

It was found necessary to organize a food administration to secure the necessary supplies for the industrial and devastated districts. With this end in view each producer is required by law to deliver to the Government, at a moderate price, a fixed quantity of grain per hectare, based on the area sown to certain specified crops, the amount required per hectare being larger for large than for small farmers. This "contingent" is used to furnish a minimum of bread to the cities at a price within reach of the population. The producer is then free to sell the grain remaining after the requisition, but this year a negligible surplus, if any, is to be foreseen. The price of grain and flour in free trade has already become prohibitive for most people. The requisitioned grain is now practically exhausted, and the remaining deficit can only be met by imports from abroad. In the year 1919, 250,000 tons of grain were imported upon credit granted by the American Government. In the year 1920, when owing to uncontrollable circumstances the deficit was even greater, Poland found herself faced by the necessity of purchasing from either America or Rumania. The drawback in the first instance was the need of paying ready money, which, given the extraordinary depression of the Polish mark, was almost prohibitive, while in the second, Poland was obliged to supply cars and locomotives for transportation within Rumania, a difficulty which has proved practically insurmountable. Thus far the Polish Government has purchased in America about 35,000 tons of grain by means of exchanging marks for the dollar remittances of Polish-Americans to Poland. It has also contracted with a Rumanian syndicate for 150,000 tons of grain, chiefly rye, in five monthly installments; up to the present time (January 15) less than one-tenth of this quantity has been received. My telegram, No. 638, of December 28, 5 p. m.

The difficulties of food distribution within the country are likewise aggravated by the difficulties of transportation. Per-

haps no phase of Polish activity is in more immediate need of rehabilitation than its railway system, which as the result of the war is entirely inadequate to the needs of the country. An inventory of all the rolling stock and equipment as of mid-September last indicated that there were in the entire country only 8,309 passenger cars and 79,998 freight cars. The shortage in locomotives is even greater. The hardships engendered by this condition were further intensified by the need of the army for a large percentage of all rolling stock for troop movements and service of supply and the fact that army trains must be given right of way. The needs of industry both for fuel and for the transportation of raw materials and finished products have of necessity been relegated to second place.

3. The situation of the Polish currency is particularly grave and makes economic rehabilitation exceptionally difficult. Shortly after its formation the Polish Government issued a certain number of so-called marks, with no metal reserve. In April, 1919, the Polish mark was selling for about 10 to the dollar. Unfortunately the needs of organizing the country, and particularly the maintenance of a large army for the bolshevik war, forced the new Government into expenses which, as it was obviously impossible to introduce at once a comprehensive and adequate tax system, could only be met by the issuance of paper money. This has continued with few interruptions until the present.

On November 30, 1920, 43,236,181,184 marks had been issued. This great issue of paper, together with the impossibility of exporting anything like enough to pay for indispensable imports, led inevitably to the decline of the relative value of the Polish mark, which from 10 to the dollar in May, 1919, touched 100 in December, 1919; 200 in August, 1920; and 1,000 in January, 1921. With this state of affairs it is manifestly impossible for Poland to purchase essentials abroad in adequate quantities. At the present rate of exchange, the total currency of 43,000,000,000 marks equals little over \$40,000,000, or about \$2 per capita.

In Poland the cost of living has increased many times over, but has never quite succeeded in keeping up to the fall in the foreign exchange value of the mark, nor have wages quite succeeded in keeping up with the rise in the cost of living. As an indication of the relative rise in prices, I quote figures for the following necessary articles:

	September, 1919.	January, 1921.
Bread.....marks per pound..	3.30	45
Bacon.....do.....	12	150
Sugar.....do.....	12.75	200
Eggs.....marks each..	0.72½	20

Official estimates indicated that the prevailing wage in September, 1919, varied from 300 to 1,200 marks per month; to-day the wages range generally from 3,000 to 10,000.

4. For the past four years Poland has been ravaged by an epidemic of typhus unprecedented in severity. For Congress Poland and Galicia alone, 34,538 cases were reported in 1916, 43,480 in 1917, 97,082 in 1918, 231,206 in 1919, and no definite figures have yet been obtained for 1920. In spite of an energetic campaign against typhus in Poland, in which a group of experts were detailed from the American Army, it was impossible to stamp out the disease on account of the large number of refugees constantly pouring into Poland from bolshevik Russia and the Ukraine. It is claimed that well over a million refugees were admitted from July 1, 1919, to July 1, 1920. In addition to the typhus should be noted a large increase in tuberculosis. The spread of both these diseases is more or less directly attributable to hunger and undernourishment.

5. While Poland is primarily an agricultural country, it should not be forgotten that during the last 50 years of the Russian régime its character was slowly changing, and with the creation of Lodz and other manufacturing towns a large industrial population was forming, dependent for its living on the maintenance of production. The prosperity of Polish manufacturers depended on the Russian market lying to eastward and Poland's ability to purchase raw products, chiefly cotton, from abroad. To-day the eastern market, which was the ultimate destination of over 80 per cent of the manufactured goods, is closed and will doubtless remain so for some time to come. In the second place, with the present rate of exchange, it is virtually impossible for Polish manufacturers to make large purchases of raw materials in America or other foreign countries when to these drawbacks is added the fact that the Germans, during their occupation, systematically stripped the country of the necessary parts of machinery, and, finally, the ever-

present difficulties of obtaining fuel, it is readily understood why such a large percentage of Polish factories have had to shut down and throw their employees out of work. To prevent wholesale starvation, the Government has accorded an unemployment bonus, which is a serious drain on the treasury, but even so, the bonus is insufficient for a man to maintain his family without curtailing on some such essential as food or clothing.

6. Summary. From the foregoing brief survey it is clear that what Poland lacks in a material way is food, clothing, and the varied equipment necessary to fight epidemics. It would be at best, however, merely a stopgap to throw into the country great quantities of food, clothing, and medicines. The whole economic life of Poland is sick, and helpful American effort, as far as possible, should be directed to helping the country to get back to a sound economic status, to help her emerge from a state of dependency to one of self-reliance and self-support. With this end in view, it seems that the Polish population can best be benefited by helping them back to normal production on the farms and in the factories. Under existing conditions, without governmental or private help from abroad, they can not hope to secure fertilizers and agricultural machinery, machine parts, and raw materials. Until they do secure these things, charitable help will continue to be their only defense against widespread starvation. In seven years the Polish people have known nothing but sufferings of war and the bitterness that follows in its wake. They are surfeited with war, hardship, and suffering, and it is clear to the most casual observer that all classes long to get back to peaceful and productive labor. Money made available here for expenditure in Poland is of little value as a relief measure, for the shortage of commodities is such that a gift of currency merely robs Peter to pay Paul and in many cases aggravates the rise in prices. In furnishing them an opportunity to get back to work lies a very real remedy for unsettled conditions in this part of Europe. Until this can be accomplished, however, it seems essential that American relief efforts continue, for it will be of little use to provide the possibility of labor if the working population of the country is allowed to starve and die of preventable disease before this aid is made available.

7. A better understanding of American relief work as now carried on in Poland may be gained from a brief survey of the work of the American relief organizations here.

a. The Red Cross: The relief work of the American Red Cross is divided into three parts:

(1) General relief, consisting of furnishing clothing, blankets, and in extreme cases food supplies to the civilian population;

(2) Relief trains, which expedite the distribution of supplies and carry sanitary cars in which first aid and minor surgery can be done, as well as dispensary work; and

(3) Medical units, whose aim, in addition to medical and surgical work done at hospitals and dispensaries, is the prevention of disease and the improvement of the average physique of the community in which it functions. The present program calls largely for child-welfare efforts of a medical character.

Because of the Red Cross method of distributing all relief by the hands of American workers the personnel has necessarily been far more numerous than that of other organizations and the overhead expense correspondingly high. However, under the management of Mr. Charles Barge, the present director, I am convinced that the work is being carried on in an effective manner, which reflects real credit upon the organization.

b. The European children's fund: This organization furnishes supplementary food and clothing to undernourished children; the maximum of children fed per day has been 1,300,000, and the organization is at present feeding about 1,100,000. Children between 3 and 14, both inclusive, receive one cooked ration of 160 grams daily. All food is delivered in cooked form directly to the child, being distributed either through closed institutions, such as orphanages, or through kitchens and milk stations especially opened for the purpose. The price of this daily ration is 60 pfennigs, or, roughly, one two-hundredths of a cent. In addition the organization has distributed primarily through its feeding system over 1,000,000 yards of woollens made up into overcoats, 700,000 pairs of shoes and stockings, and is now in process of distributing 650,000 yards of canton flannel, which is being cut and sewn into jumpers. The distributions of the European children's fund are made exclusively by Polish official committees, under the supervision and inspection of American relief workers, of whom there are less than 20. The organization has made a most gratifying record, not only for the devotion of its workers and the results achieved, but as an example of efficient American administration. The overhead cost, I am told, varies from six to eight tenths of 1 per cent.

c. Joint distribution committee of American funds for Jewish war sufferers.

The activities of this committee may be divided into five parts:

(1) Individual remittances. The committee delivers remittances sent by relatives in America to people in all parts of Poland, free of charge either to the remitter or to the remitee. Over 500 subcommittees have been organized to handle this work, which has amounted at times to over \$1,000,000 monthly, averaging more than 12,000 individual remittances per week.

(2) Warehouses and transportation of supplies. The committee distributes among the poor Jewish population large quantities of food supplies, clothing, and other commodities, which are not to be found in Poland.

(3) The committee gives a large part of its funds as subventions to local agencies and institutions doing relief work among the Jews, children's homes, soup kitchens, etc.

(4) Direct activities. The committee at various times makes direct appropriations for given purposes in various localities, such as financing summer colonies for rachitic children, milk stations, etc.

(5) The committee is further devoting itself to the task of rehabilitating the people on a more normal self-supporting basis by means of furnishing tools, raw materials, and occasionally working capital to dependent families. Like the European Children's Fund, the American personnel is small and the organization is successfully run on the basis of a large American business concern. So far as I have been able to judge, the resources of the committee have been administered with great ability, and the results have amply justified the scale of its operations.

d. Young Men's Christian Association. The Young Men's Christian Association has directed its attention almost exclusively to working with the Army, having established 39 huts with canteens, recreation rooms, etc. The organization is divided into:

(1) An educational department, which seeks to improve the educational standard of the soldiers through libraries, moving pictures, etc.;

(2) An entertainment department; and

(3) An athletic department, which has been seeking to teach American athletics, and especially massed games, to the troops.

e. National Lutheran Council. This organization has kept only one or two representatives in Poland, but they have done excellent work among the Protestant population, chiefly in granting loans at a moderate rate of interest to the farmers in some 400 devastated villages for the rebuilding of their homes and the purchase of plows, draft animals, seed, etc. The council has taken the sensible ground that it was more sensible to help these people get back on a working basis than to allow them to remain dependent upon insufficient charitable gifts.

f. There are several other American organizations at work in Poland, such as the Young Women's Christian Association, the Methodist Mission, etc. These organizations, disposing of more limited sums, devote themselves more particularly to personal service and hardly come under the same category as the general relief organizations referred to above.

8. The steps being taken by the Polish Government and local organization to meet the needs of the country may be divided into two classes: a. Polish aid to American organizations, and b. independent charity. Of these two the first is by far the more efficient.

a. Polish aid to American organizations in turn may be subdivided into financial and administrative. In the case of the European children's fund the Polish Government had from its inception until September, 1920, given in cash about \$1,700,000, and in foodstuffs from those purchased on credit from the United States Government about \$4,000,000 or a combined sum of \$5,700,000 out of a total of \$20,000,000 given. It is, however, more in the line of administrative work that the Pole is of marked assistance. As indicated above, both the joint distribution committee and the European children's fund carry on their operations in large measure by means of Polish subcommittees, those of the children's fund being entitled "Polish Government Committees for Relief of Children," and organized by the ministry of public health.

b. Of the private charities the Polish Red Cross is undoubtedly the most representative and effective, running 19 hospitals, 3 convalescent homes, 4 sanatoria, 2 shelter homes, 4 hospital trains in addition to disinfecting columns, a warehouse, and a sterilization workshop. The other Polish institutions, while doubtless fulfilling a great need, suffer somewhat, in my opinion, from duplication of work and defective organization. In the nature of things Polish relief organizations can merely seek to

apply existing supplies where they will do the most good. They can not cope with the essential problem which arises from actual shortage of supplies. While expressing sincere admiration for the splendid devotion of Polish relief workers, and recognizing many cases of great individual ability, I am obliged to state that as a rule Polish administration of relief is not up to American standards, and for that reason it would appear necessary to maintain a small supervisory American personnel so long as American money and gifts continue to flow into Poland.

9. From the foregoing summary of relief work in Poland it would appear that through the force of circumstances conditions here are such that if food, clothing, and medicines are not obtained from abroad, serious prejudice must result to the coming generation; that owing to the unprecedented depreciation of the Polish mark it is impossible for the Polish Government or people to purchase the necessary quantities in a foreign market; that the Polish Government and people are not shirking in their efforts to better the situation, but that given the shortage of money and commodities, their work can be made more efficacious in the administration of general American relief under American supervision than in seeking to alleviate individual cases; and finally that in so far as is possible, American aid to Poland should be of a nature to assist her in building up a healthy future generation and in rebuilding a normal economic life. As soon as Poland is able to dispense with American aid without impairing the attainment of these objectives, I believe that it should be withdrawn, but until then that it should be continued on the lines indicated above.

I have the honor to be, sir,

Your obedient servant,

HUGH GIBSON.

(No. 2071.)

PARIS, January 21, 1921.

The honorable the SECRETARY OF STATE,

Washington.

SIR: In compliance with the department's telegraphic instructions No. 7, January 7, I have the honor to report as follows:

The scope of American relief work in France has been continuously decreasing since the armistice until at the present moment the work being done by American relief organizations is of far less magnitude than at any time since that date. In the term "American relief organizations" are included those organizations which, though incorporated under French law, are wholly or largely disbursing money received from American sources. On the other hand, as the social-welfare work carried on by certain American organizations is clearly distinguishable from purely relief work and as I infer from the instructions under reference that the department is at present only interested in purely relief work, no attempt will be made to give information relative to the former class of work.

The main and wholly legitimate calls on American charity arise out of conditions still existing in the devastated regions, which for a long time will necessarily continue to be far from satisfactory. Whether or not valid excuses may be advanced, it is certain that the work of relief and reconstruction accomplished by the Ministry of the Liberated Regions has fallen far short of what was hoped for. That there should be impatience, complaints, and deep dissatisfaction on the part of people who have returned to their former homes in the devastated regions under such excessively discouraging conditions as are there to be met with is inevitable; and other reasons, such as budgetary stringencies and the impossibility of devoting to these regions portions of the Government's revenue which it was hoped thus to utilize, are contributory factors to the shortcomings of this department. On the other hand, the French failure successfully to organize and administer on a large scale work of this nature—which was more than once made evident during the war and immediately thereafter in similar questions of civilian supplies and relief—is apparent. At all events the French press contains many news dispatches, contributed articles, and editorials relative to the failures and mistakes with respect to this question of the Government in general and of the Ministry of Liberated Regions in particular. However, it is fair to question whether this situation will not undergo a sudden and material change once the question of reparations has been definitely regulated. The argument that the work of relief and reconstruction in the devastated regions can not be adequately carried on until France has secured at least something tangible and substantial on account of reparations is such a strong one that the possibility can not be overlooked that, consciously or unconsciously, conditions permitting the use of such an argument may be protracted somewhat longer than they otherwise would be.

However, in spite of the foregoing and of whatever amelioration of the situation may be produced by more effective effort on the part of the Government, I am convinced that there is a

very real and pressing need of the work now being accomplished by such organizations as the Red Cross, the American Committee for the Devastated Regions, the Franco-American Relief for Devastated France, and others. Even working under the best conditions the Government could not for some time accomplish more than part of what is vitally necessary to be done in the devastated regions. Nor could the remainder be cared for by the work of French private organizations which, though amounting to as much in aggregate results as could under the circumstances be expected, is done on a piecemeal scale and without broad or comprehensive organization or administration.

The work of the American relief organizations in the devastated regions fills a crying need and is meeting with the enthusiastic appreciation of the local population and authorities and could be profitably extended as far as contributions would permit. This is true because, while the Government necessarily turns its principal energies toward the reconstruction of roads, railways, canals, and public works of like nature, private organizations can necessarily only work in very limited areas, so that for every locality favored by the work of these private organizations there must be as many or more in which the excessively distressing conditions affecting those individuals who have returned to their former homes continue to exist in unalleviated form. This American relief work has at present become almost entirely able to pass beyond the stage of direct donations—with its consequent tendency to pauperization—and to base itself on the principle of self-help; it furnishes food, clothing, and first necessities of all sorts at the lowest possible prices, helps in reclaiming and revitalizing the land by supplying agricultural cooperative societies with money loans and with agricultural implements, and by its public health service looks after the health of the women and children living in bare, unheated barracks, hovels, and even dugouts and cinder piles on the site of their former homes, with especial regard to the children born under such conditions.

I am convinced that this work is of the highest value merely from the point of view of money well expended, quite aside from considerations of a moral or political nature resulting from the real and deep appreciation of those who as beneficiaries come in direct contact with this work.

I am of the opinion that during the war and shortly thereafter, when methods of administration and organization were less well regulated, and when the amount of relief work being carried on was immeasurably greater, there were a number of cases of extravagant and careless administration of relief funds, but at the present time I feel that although isolated instances of mismanagement may be met with, they are few in number and of comparative insignificance and that the administration of American relief funds is both efficient and economical.

I have the honor to be, sir,

Your obedient servant,

(No. 56.)

AMERICAN MISSION,
Vienna, January 17, 1921.

The Honorable the SECRETARY OF STATE,
Washington.

SIR: In response to the department's circular telegraphic instruction dated January 7, 7 p. m., I have the honor to report as follows regarding the activity of the American Relief Administration in Austria:

The essential principle of this organization is cooperation with the local government. The American personnel is always kept at a minimum and the natives employed as far as possible. At present the American Relief Administration in Austria has only 6 American employees and about 12,000 Austrian employees, or a proportion of 1 to 2,000.

The chief function of the Americans is to see that no distinctions of class, religion, or race are made, but that child feeding be determined purely on physical needs, and that the most undernourished children are admitted to the kitchens.

The Austrian Government has agreed to bear the overhead expenses of the relief work in Austria, and since June, 1919, has allocated, roughly, 50,000,000 crowns for the feeding of children. This contribution has paid for freight from the seaports to Austria, for interior distribution, for Austrian personnel, and for office expenses. In addition, the Austrian Government has contributed 4,840 tons of flour, at an approximate cost of 121,000,000 crowns. The provincial governments have also contributed overhead expenses and flour. The city of Vienna has contributed motor lorries, gasoline, and personnel to an estimated value of 18,000,000 crowns.

The needs of the children for relief are best brought out by recent figures medically and scientifically gathered in Vienna,

showing that boys of 17 years of age have an average height of 158 instead of a normal height of 168 centimeters and a weight of 48.6 kilos instead of a normal weight of 56 kilos. The girls of 16 have a height of 153 instead of a normal height of 160 centimeters and a weight of 46.4 instead of a normal weight of 52 kilos. Altogether, it may be stated that at the end of juvenile growth the average child of Vienna is about 4 inches below the normal height and about 16½ pounds below the normal weight.

Prominent medical authorities state that these children will never attain their normal weight and height but will go through life in this stunted condition; also that children of succeeding age classes, unless given sufficient food, will also remain underdeveloped and go through life undersized human beings.

The fact that all overhead expenses are paid by the Government makes the overhead expenses of the A. R. A. unusually low, and a record has been established in regard to the total percentage of contributions that has been used for actual food supplies.

The A. R. A. is at present feeding 300,000 Austrian children in 1,254 feeding stations. These are scattered all over Austria, and every child before being admitted is physically examined, and only those in an undernourished condition are admitted. The most undernourished class in Austria has shown an improvement, and it is felt that a discontinuance of relief work would entail the loss of all gains secured and a rapid deterioration of the condition of the children of Austria.

As stated in my telegram No. 4, January 8, 6 p. m., I am apprehensive that if the activities of the American Relief Administration are continued too long the population may lose the incentive to work and become demoralized. I have therefore urged Capt. Richardson, the competent director of this organization in Austria, to request the minister of education to explain through the agency of the schools that the work of child feeding in Austria is a temporary expedient designed to meet an emergency, and is in no sense a permanent institution.

As annexures to this report, I inclose a memorandum showing the expenditures of the A. R. A. and the contributions from the Austrian Government; also two pamphlets issued by the A. R. A. showing the organization and distribution system in Austria as well as a list of the child-feeding stations.

I have the honor to be, sir,

Your obedient servant,

ARTHUR HUGH FRAZIER.

AHF/jfb

(3 inclosures.)

(Inclosure to dispatch No. 56.)

a. Contributions in money for child feeding: The Central Government has, since the commencement of the organization in June, 1919, allocated to us, roughly, 55,800,000 crowns in Government funds for the feeding of children.

From the above contributions were defrayed:

1. The cost of transportation of the foodstuffs from the seaport (Hamburg or Rotterdam) to the central warehouses in Vienna and Linz, besides charges for warehousing and guarding.
2. The cost of conveyance from the central warehouses in Vienna and Linz to the provincial warehouses.

N. B.—The expenditures under those two headings have already exceeded the amount of 33,000,000 crowns.

3. The expenditures on personnel and office expenses of the general commissariat.

4. Traveling expenses in connection with the inspection of the Provinces.

5. Contributions to the provincial commissariats approximate 7,000,000 crowns thus far.

6. Other expenditures to meet contingencies.

b. Contributions in money for the clothing program: Approximately 2,500,000 crowns were allocated by the Central Government for the first clothing program; this amount has been already entirely spent.

For the second clothing program a credit up to 25,000,000 crowns has been opened to us.

c. Contributions in flour by the State government: Furthermore, the Central Government contributes the flour required for feeding 200,000 children up to the end of May, 1921—i. e., 4,840 tons, at a minimum value of 121,000,000 crowns.

d. Contributions by the provincial governments: For meeting the expenses of the provincial organizations, the various provincial governments made, according to the scale of the feeding, both single contributions (500,000 to 1,000,000 crowns) and continuous monthly contributions, amounting up to 120,000 crowns per month in the various Provinces.

Added to this, there is the obligation incurred by an agreement in force since September 1 to supply the flour required to increase the child feeding from 200,000 to 300,000 portions,

amounting in the case of Lower Austria to more than 7,250,000 crowns, of the Tyrol to not quite 2,000,000 crowns, and 800,000 crowns in the case of Vorarlberg, whereas Upper Austria has to contribute 175 tons, Salzburg 84 tons, Styria 232 tons, Carinthia 58 tons of flour.

e. Contributions of the city of Vienna: Vienna being, in view of the excessive numbers to be fed and the deplorable state of its finances, quite unable to incur an obligation to supply flour or money, it will possibly be assumed by the State (negotiations in this connection are still in progress).

In consideration of this, the city contributed the motor lorries, petrol, and personnel for the local cartage free of charge, the equivalent of more than 18,000,000 crowns a year.

(No. 52.)

AMERICAN MISSION,
Vienna, January 18, 1921.

The honorable the SECRETARY OF STATE,
Washington.

SIR: In response to the department's circular telegraphic instruction dated January 7, 7 p. m., I have the honor to report as follows regarding the activity of the American Red Cross in Vienna:

The American Red Cross unit in Vienna consists of a paid personnel of 7 Americans and 26 Austrians. In addition to these it avails itself of the services of about 40 workmen, who are supplied by the Austrian Government.

The work is really general relief among the needy people of this country, but due to the breadth of the field and to the shortage of supplies, the Red Cross has concentrated as far as possible on the hospitals and the children under 6 years of age. The actual distribution is accomplished through recognized Austrian organizations with the idea of utilizing to the greatest extent possible the excellent institutions of this country and of economizing the efforts and time of the Red Cross workers, who are enabled thereby to concentrate on investigating and reporting. The Red Cross distributes garments, clothing, hospital supplies, drugs, and food, but no money. Last month 150 institutions received from the Red Cross goods to the value of about \$150,000, which were then distributed to nearly 200,000 people, of whom over two-thirds were small children.

The clothing given away is, for the most part, made up here by Austrian women and children. Last month there were nearly 50,000 volunteer workers knitting for the American Red Cross. There were about 100,000 Vienna school children learning to knit and making warm garments from Red Cross wool which had been turned over to the school authorities for distribution among the poorest of these little ones. There were also about 5,000 women who were manufacturing clothing for the Red Cross and receiving pay for their work. Altogether the Red Cross has made up in Austria since last July over 500,000 garments, which have then been given away to the poor.

Food distributions are made through hospitals, orphanages, and children's homes and through the depots of the Anglo-American Society of Friends, which regularly feed undernourished children under 6 years of age who are not helped by the American Relief Administration. Of these latter, about 9,000 are entirely dependent upon the Red Cross, and receive from it one meal per day.

DISTRIBUTIONS.

Distributions to hospitals are made on the request of the Red Cross medical officer, who keeps in touch with all foreign as well as Austrian medical authorities.

As far as can be ascertained, there is no serious overlapping of the efforts of foreign relief workers in this country. The greatest of harmony exists, and to a great extent the field is divided up among the various organizations so that each one knows just what the others are doing. All applicants for help are supplied by the Government with a "Fuersorgeblatt," which is used as a sort of relief passport and is stamped by each mission whenever help is given to the bearer. Thus the Red Cross has a fairly effective control over its work. The American Joint Distribution Committee is, as far as is known, the only distributor of American relief supplies here in the city which does not cooperate in the stamping of these papers.

In addition to the help rendered to the Red Cross by individual Austrians, it has been constantly assisted in its efforts by the city government of Vienna and by the Austrian National Government. It is supplied with free office space, free warehouse space, free gasoline, free automobiles, free labor for use in the warehouse, free transportation of supplies on the Austrian railways, and on one occasion it was even given 300 tons

of flour for distribution to the needy hospitals by the Austrian Food Ministry.

The operating cost of this unit is something less than 1 per cent of the value of the supplies distributed.

Maj. Bakeman, the able director of the Vienna unit of the American Red Cross, informs me that in his opinion there is no need to dwell on the need of Vienna for continued aid from his organization. Statistics are more eloquent than words. An examination of the children under 6 years of age, which was made this fall by the doctors of the city in accordance with Dr. Pirquet's standards, shows that of the eighty-odd thousand examined there are about 60,000 decidedly undernourished, and that there are actually about 25 per cent of all of those looked at who are suffering from "rickets."

I have the honor to be, sir,

Your obedient servant,

ARTHUR HUGH FRAZIER.

DECISION OF FEDERAL JUDGE LANDIS.

MR. DIAL. Mr. President, I notice in the New York Tribune of to-day a short telegraphic article which I desire to read:

CHICAGO, February 11.

After pleading guilty of embezzling \$96,500 from the National City Bank, of Ottawa, Ill., Francis J. Carey, 20 years old, formerly receiving teller of the bank, to-day was released on his own recognizance by Federal Judge Landis, who criticized officials of the bank for the small salary paid the defendant.

When Carey said his pay was \$90 a month, Judge Landis exclaimed: "This is astounding. It puts the responsibility entirely on the directors of the bank. You were not getting any more than the elevator operators in the Federal building, and they are notoriously underpaid. Francis, you go on home. I'll send for you again."

I have been practicing law for over a third of a century, but that is the most outrageous pronouncement that I ever heard issue from a court.

MR. THOMAS. Does the Senator know anything about Judge Landis?

MR. DIAL. Yes; I know something about him.

MR. THOMAS. The Senator probably knows he is perhaps the most conspicuous crank now holding so high a position.

MR. DIAL. That is what I was going to say.

MR. THOMAS. At present he is enjoying an outside compensation of an enormous amount, the amount of which I can not state definitely, but he is a sort of a supreme arbiter in the baseball world, and has assumed and is performing the duties of that position, and at the same time assuming to occupy his position upon the bench. In other words, he is drawing two salaries, one from the Government of the United States, and a princely salary, an enormous salary, from the baseball world. Therefore he is in a position to criticize the smallness of salaries paid to other people.

MR. DIAL. If this pronouncement is true, he will only draw one salary in the near future, if I have any influence.

I have always had a very high regard for the bench, great respect for judges on the bench, and I am glad to say that in this country they deserve it. We have had very few cases in the history of our country where judges have not been an ornament to the bench. But, I say, if this is true, as it is quoted in the papers—and I have written to Chicago to ascertain the actual facts and to get them in detail—I propose to bring the matter to the attention of the House of Representatives and ask that this judge be impeached.

It is not his business to say what directors shall pay the employees of their institutions. While \$90 may appear small to him, yet there are many people in the United States working in positions of trust who do not receive any more than \$90, and whether their compensation is sufficient or not is no excuse and no reason for them to put their hands into the pocketbook of their employer, and no reason why they should be encouraged to steal, and encouraged by such statements from officials on the bench, if the article be true. I say that any man who makes that kind of a statement is not entitled to the confidence of the people; and he should be impeached at the earliest moment. Of course, I do not know whether or not it is true, but I read it, as I have said, in the newspaper, and I presume it is true. I have written, as I have said, to Chicago, and I hope to get a report. If it is true, he should be impeached, no matter who he is, for he is unworthy of the confidence of any man in the United States.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

MR. WARREN. Mr. President, may we not now proceed with the appropriation bill?

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15543) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

The reading of the bill was resumed.

The next amendment was, on page 151, line 18, in the items for the district court, Territory of Hawaii, to strike out "clerk, \$3,000"; and in line 19, to reduce the total of the appropriation from "\$19,200" to "\$16,200."

The amendment was agreed to.

The next amendment was, on page 151, line 21, in the items for district court for Porto Rico, to strike out "clerk, \$3,000; in all, \$10,500."

The amendment was agreed to.

The next amendment was, on page 154, line 21, after the words "Revised Statutes," to strike out "or section 3 of the act of June 20, 1874," and insert "or section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894, or section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916," so as to read:

For reporting the decisions of the court and superintending the printing of the fifty-sixth volume of the reports of the Court of Claims, \$1,000, to be paid on the order of the court to the reporter, notwithstanding section 1765 of the Revised Statutes or section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894, or section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916.

The amendment was agreed to.

The next amendment was, on page 155, after line 19, to strike out section 4 in the following words:

SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1922 for the purchase of any typewriting machine at a price in excess of the lowest price paid by the Government of the United States for the same make and substantially the same model of machine during the fiscal year 1919; such price shall include the value of any typewriting machine or machines given in exchange, but shall not apply to special prices granted on typewriting machines used in schools of the District of Columbia or of the Indian Service, the lowest of which special prices paid for typewriting machines shall not be exceeded in future purchases for such schools: *Provided*, That in construing this section the Commissioner of Patents shall advise the Comptroller of the Treasury as to whether the changes in any typewriter are of such structural character as to constitute a new machine not within the limitations of this section.

And in lieu thereof to insert:

SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1922 for the purchase of any standard typewriting machine, except bookkeeping and billing machines, at a price in excess of the following, to wit: For correspondence models with carriages which will accommodate paper 10 inches in width, \$70; for models with carriages which will accommodate paper 12 inches in width, \$75; for models with carriages which will accommodate paper 14 inches in width, \$77.50; for models with carriages which will accommodate paper 16 inches in width, \$82.50; for models with carriages which will accommodate paper 18 inches in width, \$85; for models with carriages which will accommodate paper 20 inches in width, \$92.50; for models with carriages which will accommodate paper 22 inches in width, \$95; for models with carriages which will accommodate paper 24 inches in width, \$97.50; for models with carriages which will accommodate paper 26 inches in width, \$100; for models with carriages which will accommodate paper 28 inches in width, \$102.50; for models with carriages which will accommodate paper 30 inches in width, \$104.50; for models with carriages which will accommodate paper 32 inches in width, \$107.50.

All purchases of typewriting machines during the fiscal year 1922 by the various branches of the Government of the United States for use in the District of Columbia or in the field, except as hereinafter provided, shall be made from the surplus machines in the stock of the General Supply Committee. The War Department shall furnish the General Supply Committee, immediately upon the approval of this act, a complete inventory of the various makes, models, and classes of typewriters in its possession, the condition of such machines, and the point of storage, and shall turn over to the General Supply Committee such typewriting machines in such quantities as the Secretary of the Treasury from time to time may call for by specific requisition for sale to the various services of the Government. If the General Supply Committee is unable to furnish serviceable machines to any branch of the Government, it shall furnish unserviceable machines at current exchange prices, and such machines shall then be applied by the branch of the Government receiving them as part payment for new machines from commercial sources in accordance with the prices fixed in the preceding paragraph. And in selling typewriting machines to the various branches of the Government service the General Supply Committee may accept an equal number of unserviceable machines as part payment thereon at the exchange prices quoted in the current general schedule of supplies. Until June 30, 1922, the War Department shall not dispose of any typewriting machines except to the General Supply Committee as authorized herein.

Mr. WARREN. Mr. President, there is a typographical error in the amendment, and I send the correction to the desk. It is to add 50 cents to \$104.50, making it \$105.

The PRESIDING OFFICER (Mr. Gooding in the chair). The Secretary will state the amendment.

The READING CLERK. In the committee amendment, on page 157, line 7, making the amendment read:

For models with carriages which will accommodate paper 30 inches in width, \$105.

The amendment to the amendment was agreed to.

Mr. JONES of Washington. Yesterday, Mr. President, the junior Senator from New York [Mr. CALDER] spoke to me about wanting to be present when this amendment was reached. I understand that he was compelled to be out of town, but has arranged the matter with the chairman of the committee.

Mr. WARREN. Mr. President, the Senator from New York has left a matter with me, but entirely another matter; not this

one. He had an amendment in regard to this matter, but I do not think he considered it important. I shall offer the amendment he wished to have offered.

Mr. JONES of Washington. He spoke to me yesterday afternoon about this particular amendment, and also about the other one.

Mr. SMOOT. In the committee, Mr. President, before we reported the bill, I asked that the price be increased two and a half dollars on all lines of typewriters, and that was agreed to.

Mr. JONES of Washington. But yesterday afternoon, after this amendment had been printed, the Senator from New York spoke to me and said he wanted to be sure to be here. However, I understand that he has had to go out of town, and of course I can not ask that the amendment shall go over until he gets back.

The amendment as amended was agreed to.

The next amendment was, on page 158, after line 23, to add the following additional section:

SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total of compensation at the rate of \$2,500 per annum or less, except as otherwise provided in this section, shall receive, during the fiscal year ending June 30, 1922, additional compensation at the rate of \$240 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than \$2,500 and less than \$2,740 shall receive additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of \$2,740 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 60 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rate of \$240 per annum for the fiscal year ending June 30, 1921, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1920, has received during the fiscal year 1921, or shall receive during the fiscal year 1922, an increase of salary at a rate in excess of \$200 per annum, or where an employee whether previously in the service or not, has entered the service since June 30, 1920, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation.

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or establishments created by law since January 1, 1916, except employees of the United States Tariff Commission, who shall be included and except that employees of the Bureau of War Risk Insurance shall receive increased compensation at one-half the rate allowed by this section for other employees: *Provided*, That employees of the said Bureau of War Risk Insurance who are compensated at rates below \$400 per annum shall receive additional compensation only at the rate of 60 per cent of the annual rates of compensation received by such employees. The provisions of this section shall not apply to employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads, express companies, telegraph, telephone, marine cable, or radio system or systems taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads, express companies, telegraph, telephone, marine cable, or radio system or systems as employees of the United States.

Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation, shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to \$2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, 40 per cent out of any money in the Treasury not otherwise appropriated and 60 per cent out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department, and to employees of the Minimum Wage Board and the playgrounds department, which shall be paid wholly out of the revenue of the District of Columbia.

So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United

States or of the District of Columbia is authorized to be paid, respectively, from such trust funds.

Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of \$240 per annum and the average number by grades receiving the same at each other rate.

Mr. POMERENE. Mr. President, I would like to have the attention of the chairman of the committee for a moment. Of course, I understand the general purpose of this proposed amendment, namely, to give the bonus of \$240 a year to those who receive salaries of \$2,500 or less. I understand that, and I understand it applies to employees generally. But in the way in which these exceptions are phrased, I do not quite understand what classes of employees are excepted from the provision, and I would like to have the Senator from Wyoming make an explanation.

Mr. WARREN. Those are excepted who are paid from lump sums, under which the heads of the departments can regulate the salaries and do regulate them, all of which, I may say, are much higher, generally, than the regular statutory rates for clerks.

Mr. POMERENE. Mr. President, assuming, of course, that the departments which are paying their employees out of lump sums are making adequate rates of compensation, that would be just; some of the departments, I understand, have been required to pay only a minimum wage, in other words, the wage which has prevailed here for a number of years. That is not quite right.

Mr. WARREN. Will the Senator mention what he has in mind?

Mr. POMERENE. Yes; I will mention one instance I have in mind. I happen to be one of the trustees of the Columbia Institution for the Deaf, and I tried the other day to get an increase in the appropriation of \$15,000, making the appropriation \$105,000 instead of \$90,000, as it then was. That was to take care of what was estimated to be an additional cost of fuel of \$3,000, and, though I did not go into that matter definitely, to provide additional compensation for members of the faculty, for matrons, and for those who are doing what may be denominated domestic work in the institution. The Senator who is the chairman of the committee consented to an increase in the appropriation of \$5,000. That, of course, is gratefully received, but it will not enable the president of the institution to add any increase to the pay of the persons I have named, or, at least, it will enable him to add only a nominal increase. I do not have in mind at present other departments, but I understand there are other departments in which probably the same condition will arise. I do not think that is quite just.

Mr. WARREN. It resolves itself into this: If the Senator proposes to start in on the matter of having this bonus applied outside of what the committee has recommended after careful investigation, it will mean opening the doors of all these lump-sum appropriations, and it will simply put us where we shall be compelled to let the whole matter go out, as it did in the House.

Mr. POMERENE. That is not a very satisfying answer.

Mr. WARREN. It is not a satisfying answer, because the Senator from Ohio has something in his mind that he especially wants; and let me say to him that there are other Senators who are in the same situation.

Mr. POMERENE. That may be all true.

Mr. WARREN. And there are a great many people outside of the Senate who want things.

Mr. POMERENE. I realize all that, and I realize the force of what the Senator has said, and I realize the necessity for economy. But let me give another illustration.

Mr. SMOOT. Before the Senator leaves that point, will he yield for a moment?

Mr. POMERENE. Certainly.

Mr. SMOOT. As the Senator knows, we reported in this bill before he offered his amendment, just the same as was given a year ago. Whatever these employees were paid a year ago, they will be paid next year; and they were paid the bonus of \$240. The chairman of the committee the other day did go so far as to agree, as was stated by the Senator from Ohio, to an increase of \$5,000 over what was allowed a year ago.

Mr. POMERENE. That is true.

Mr. SMOOT. If we should increase all the appropriations 7 per cent, you can see where it would land us.

Mr. POMERENE. Mr. President, if there are six men who get a bonus, and there are seven men doing substantially the same work, I do not know how Congress can excuse themselves for failing to provide the bonus for that one man.

Mr. SMOOT. We provided the appropriation for the bonus, I will say to the Senator, in the \$90,000.

Mr. POMERENE. These employees of the Institution for the Deaf did not receive any bonus.

Mr. SMOOT. No; but the reason why they did not is because they were paid from a lump sum, and the wages paid were based upon what the bonus and the regular wages would be if they were carried upon the statutory roll.

Mr. POMERENE. The Senator makes that statement without having looked into it. I know something about the situation in that institution.

Mr. SMOOT. I will simply say that in all lump-sum appropriations that is true, and if the Senator will take the time with me I will convince him that my statement is correct.

Mr. POMERENE. I have the word of the president of that institution, and I think he knows what he is talking about.

Mr. SMOOT. I do not know whether the president of the institution knows what we are paying other departments or not. I do know—

Mr. POMERENE. He knows, at least, that there is a bonus being paid to a number of other employees and that there is no bonus paid to the faithful employees of that institution.

Mr. SMOOT. In every lump-sum appropriation we make, except those named here, the employees are in exactly the same position. Of course, the president of the institution knows that there is no bonus, because the law provides that there shall not be; but the president of the institution does not know what the comparison is between the work done there and the work done by those who are drawing the bonus.

I have not the slightest feeling in my heart against the institution, far from it; but it happened, so far as that is concerned, that we gave them this year all they had last year, and we have added \$5,000 more to it because of the statement which was made by the Senator from Ohio [Mr. POMERENE] the other day. And now he comes and asks to have \$240 bonus added for each employee. If we do that we might as well strike out the whole provision and let the employees of the different departments have an additional \$240, who are being paid now from a lump-sum appropriation and whose salaries are \$240, or nearly that, above the regular statutory rate.

Mr. POMERENE. I have before me a list of the salaries paid the faculty—the instructors, the engineers, the storekeepers, and matrons—of the institution. The matron of the college receives \$80 a month, or \$960 a year. The matron at the Kendall School for Boys receives \$520.50 for nine and one-half months. I desire to say that that includes keep as well. The seamstress gets \$510, including keep.

Mr. WARREN. What do they have in the way of an allowance in addition to the salary?

Mr. POMERENE. None at all, except that includes their keep. Part of the employees have a room and part of them simply have their board.

Mr. WARREN. Of course; and that is part of their compensation.

Mr. POMERENE. That is true enough; but there has been no increase in this matter. I am not finding fault with it; I realize that we have received what is undoubtedly the best judgment of the committee. In anything that I may say I am not questioning motives at all, and I want that distinctly understood, but I am questioning the judgment of the committee as to some of these things.

Let us take another situation. I offered an amendment the other day providing for an increase in the compensation of the keepers, sergeant, and police officers at the Zoological Park. They had been getting \$80 a month, except the sergeant, who got \$85. Last year, though there was this lump-sum appropriation, I believe they did pay the bonus of \$240 to those men, but they had to buy their own uniforms. Other police officers doing substantially the same work received considerably more and were furnished an allowance of, I think, \$89 for their uniforms. I may not be quite exact as to that amount. Under the present situation, if the bill is given the construction which is placed upon it by the committee, then I take it we are going to cut out the bonus that they have had heretofore.

Mr. SMOOT. I will say to the Senator that there is no bonus cut out of the bill with reference to any employee, with the exception of the employees at one of the arsenals here. There are good reasons for that, and if the matter is brought up we will tell the reasons why.

Mr. WALSH of Massachusetts. May I ask the Senator if employees in all of the navy yards are not cut off from the bonus by this committee amendment?

Mr. SMOOT. That is what I said.

Mr. WALSH of Massachusetts. The Senator said arsenals.

Mr. SMOOT. I should have said navy yards.

Mr. WALSH of Massachusetts. All the employees in all of the arsenals of the country are, under the provisions of the bill, also to be denied the bonus?

Mr. WARREN. That is not quite correct.

Mr. SMOOT. It is correct so far as the \$240 is concerned.

Mr. WALSH of Massachusetts. Well, which of you Senators is correct?

Mr. SMOOT. When that item comes up we will tell the reason why, if anyone wishes to know.

Mr. WALSH of Massachusetts. I wish to know if the only changes in the present bill from last year's bonus provisions are as follows: First, a bonus is provided for the firemen and policemen of the District of Columbia, that was not provided for last year, and I do not in anyway object to that addition. Second, all employees, such as are employed in the navy yards and arsenals, and others who have legal provisions for adjusting their wages by wage boards, are to be denied the bonus they have heretofore received after July 1?

Mr. WARREN. I will say to the Senator that he is not quite correct about that, because the police did get last year a bonus of half the amount that we are putting in now.

So far as Navy men are concerned, all of the statutory class and positions of that kind receive the bonus, but the men whose wages are passed upon by the wage board, and under their rules are arranged according to the wages that the same mechanics get in similar lines, are not touched. The only reason why that was in the year before was not because of its immediate application after the wage board came into being, but it was claimed that an injustice had been done the men the year before, and it was put in as a cure for that. It was not intended to be put in as a bonus, and should not be put in, because it simply doubles up to some extent the pay in that respect.

The Senator from Ohio is complaining because we allowed what he asked with reference to the Zoological Park policemen. He said they had the same duties to perform as police officers in the city. Of course, the Senator knows better than that.

Mr. POMERENE. I wish to affirm the statement that I made. Their duties out there are just as responsible and require just as much time as those of the men down on the streets of the city. When it is known that out there during the summer months there are on Sundays as many as 50,000 people going around over the entire garden, that can be readily seen. I go out there occasionally.

Mr. WARREN. I go out there occasionally myself, and I know the difference between taking care of the Zoological Park in the day time and being on duty night and day in the city where all the disturbances take place, and where they have to go in and make arrests at the risk of their lives continually. There is nothing of that kind involved at the Zoological Park.

Mr. POMERENE. Their hours are limited in the city as well as in the Zoological Park. I am not complaining about the amount which has been granted, but under the statement which has been made, I think by the chairman of the committee—that is, unless he makes some exception to his general statement—where there is a lump-sum appropriation there will be no bonus.

Mr. WARREN. Under this provision, no; but I understood the Senator to say that we had provided for the people who he thought were left out.

Mr. POMERENE. I provided for an increase which would place them upon substantially the same footing as other police officers who are doing a similar service.

Mr. WARREN. It is entirely in the hands of the men who are handling the lump-sum appropriation and paying the men. I do not know, but perhaps Congress has the right to go in between the employee and the employer, after giving all the money they ask, to arrange for the further payment of wages and to raise the individual salaries of each one, and thus destroy the rules, regulations, and discipline of the department. That may be right, but we did not think so.

Mr. POMERENE. With all due respect to the chairman, I do not think he has quite fairly weighed his own words. This is not stepping in between the employer and the employee. They asked the committee to give them \$8,000 additional, making \$133,000 in all. They were given \$125,000, and what they wanted the \$133,000 for was in order that they might increase the compensation of these men by \$20 a month.

Mr. WARREN. I was speaking more especially of those who are paid per diem wages, where the money is given in large lump amounts and they pay what they choose.

Mr. POMERENE. That raises another issue to which I did not call attention. My first question was that we might have some explanation of these various exceptions. There are perhaps six or eight of the various exceptions, and they are so vague that I do not think they give an intelligent idea to Senators who have not had the same means of investigating the subject that the members of the committee have had. That was

my primary purpose in asking the question, for I wanted to know, in a way that would at least be intelligible to me, why these various exceptions were made.

Mr. ROBINSON. I offer the amendment which I send to the Secretary's desk.

The PRESIDING OFFICER (Mr. CAPPER in the chair). The amendment proposed by the Senator from Arkansas will be stated.

Mr. WARREN. Do I understand that the amendment which has been under consideration has been agreed to?

Mr. POMERENE. No.

Mr. WALSH of Massachusetts. It has not been agreed to.

Mr. THOMAS. I did not so understand.

Mr. WARREN. Does the Senator from Arkansas wish to offer an amendment to the amendment?

Mr. ROBINSON. No; I wish to offer an amendment to the bill.

Mr. WARREN. I so understood, and that is why I asked the question as to whether or not the pending amendment had been agreed to.

Mr. WALSH of Massachusetts. I desire to offer an amendment to the committee amendment. I offer the amendment on behalf of the Senator from New York [Mr. CALDER], who presented it on yesterday, but is absent to-day.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts on behalf of the Senator from New York will be stated.

The READING CLERK. On page 160, in line 7, after the word "revenues," it is proposed to strike out the words "employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service," and insert in lieu thereof, after the word "compensation," on page 160, line 3, the following:

Provided further, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees.

Mr. WALSH of Massachusetts. Mr. President, I do not think the members of the committee appreciate how sweeping is the action of the committee in the amendment which they have proposed. As I read the amendment—and if I am mistaken I wish the chairman or some member of the committee to correct me—the language of the committee amendment amounts to a reduction in wages of \$240 per annum to every civil employee in at least the naval and military service of the country who has had his wages heretofore adjusted by a wage board which has taken into consideration under the law of last year, as it was obliged to take it into consideration, the payment of the bonus. Am I correct in that statement?

Mr. WARREN. No; not according to my information, and I took pains to look the matter up.

Mr. WALSH of Massachusetts. Then, may I ask another question? Are the wages of any employees of the Navy or Army reduced by the language of the amendment?

Mr. WARREN. No; not in the way the Senator puts it. I know what the Senator is driving at. He has reference to an allowance, as it was explained to me by the man who probably asked the Senator to offer the amendment which he has submitted, which was made in the effort to rectify what they called an injustice which had been done two years before. The same man talked to me two years previously and after the provision was put into the bill last year. It was understood at that time that it was not to be put in again. I wish to take this opportunity to say to the Senator from Massachusetts, if he will allow me, that, so far as I am concerned, I shall never consent to another bonus provision to employees. If we can not get together and arrange these salaries before another appropriation bill shall come before us, we had better pass the task over to some one else. Unless legislation is had as to salaries, the Appropriations Committee will next year have to submit to the Senate a full line of readjusted salaries and wages.

Mr. WALSH of Massachusetts. I do not know but that I agree with the chairman of the committee as to that; in fact, I personally think the bonus system is vicious and is very bad, but what I am concerned about is that the change in policy which the committee has undertaken to make this year is discriminatory—that is, that unless certain departments of the Government receive an additional appropriation to take care of the wage that has been paid in the way of a bonus to certain employees, many Government employees will be denied the wage they are at present receiving and will receive what amounts to a cut in wages of \$240 per annum.

Mr. WARREN. Let me read the evidence of the Secretary of the Navy before the House Committee.

Mr. WALSH of Massachusetts. I should like to hear it.

Mr. WARREN. The Secretary of the Navy stated:

The labor wage adjustment board appointed to consider the question of a readjustment in the wages for employees under the Naval Establishment finds—

This statement was made when the Secretary was before the committee of the other House and previous to the meeting of the wage board, so that it related really to what had been done heretofore.

The Secretary continued—

that the existing wage scale for the Naval Establishment is higher, the \$240 per annum congressional bonus considered, than the wage scale of any other industry as a whole in the United States of which it has information. The present wage scale of the shipbuilding industry is lower than that of the railroad industry. The difference between the navy-yard scale and the shipbuilding industry is practically the congressional bonus of \$240 per annum, which was granted to all employees under the Naval Establishment on July 1, 1920, who are receiving less than \$2,740 per annum.

Mr. WALSH of Massachusetts. Mr. President, I am not discussing whether or not these men have been paid more than they should have been paid. What I want to know is whether or not it is possible that under the language now proposed by the amendment as a change in the provision made last year a reduction will be brought about in the wages of certain employees amounting to \$240 per annum?

Mr. WARREN. No.

Mr. WALSH of Massachusetts. If no such result will be brought about, there is no use of saying a word or offering amendments. There have been clauses removed from the act of last year and new clauses inserted, and one is that employees whose wages are adjusted by wage boards shall not have the bonus. Does that affect anybody, and if so, whom?

Mr. SMOOT. Mr. President, I think the Senator from Wyoming has made the statement just as plainly as it could be made. There is not any question that the employees whose pay is adjustable from time to time through wage boards were, for certain reasons, allowed a bonus last year. One reason was the statement of the representative of those employees that they had not been treated fairly for two years previously.

Mr. WALSH of Massachusetts. If I may interrupt the Senator for a moment, do I understand him to say that the representative of these employees stated that he would be satisfied if the bonus was given last year and would never ask for it again?

Mr. SMOOT. Oh, no; he did not say that. He would never be satisfied, even if we made the bonus \$480. I do not care what amount of bonuses were given, these employees would not be satisfied.

Mr. WALSH of Massachusetts. What was the bonus which was given last year?

Mr. SMOOT. I desire to explain to the Senator what the committee have believed and what they have done. Mr. Alifas had been before the committee time and again, and I suppose there is not a Senator in this Chamber whom he has not seen this year in reference to this same matter. In order to make things equal for the preceding two years, when those employees had not received the bonus—and for certain reasons, as I have said, it had not then been given to them—the committee gave them \$240 last year with the distinct understanding that it was for one year only, and to equalize their pay until the end of the present fiscal year—June 30, 1921.

The provision in the pending bill becomes operative on July 1, 1921, and continues for another year; and I desire to say to the Senator from Massachusetts that if the \$240 bonus is granted by the bill for the employees which have been referred to it will be a discrimination against every other employee in the Government service.

Mr. WALSH of Massachusetts. If it will be a discrimination to provide the bonus for next year, was it not equally a discrimination to provide it for last year?

Mr. SMOOT. It was not a discrimination for the reason I have stated. It was given to them last year in order to equalize matters and to make up for what they claimed was a discrimination against them during the preceding two years. But now, considering the wages that they are receiving, according to Mr. Woodbury in the excerpt of the testimony which has just been read by the Senator from Wyoming, they are receiving now the equivalent of \$240 and the bonus besides.

Mr. PITTMAN. Mr. President, will the Senator from Massachusetts permit me to interrupt him for a moment?

Mr. WALSH of Massachusetts. Certainly.

Mr. PITTMAN. I do not take it that the Senate desires to assume any responsibility at all in fixing the wages of the naval employees, but unfortunately their action in granting the bonus has affected the fixing of their wages. There is an adjustment board in the Navy Department which fixes wages: In fixing

those wages they have taken into consideration the \$240 bonus. If the \$240 bonus is not allowed it will reduce the rate of their pay to an extent which was never the intention of the naval wage adjustment board; that is all there is to it.

Mr. WARREN. Mr. President, will the Senator permit me to interrupt him?

Mr. PITTMAN. Certainly.

Mr. WARREN. Instead of that, the allowance last year was in order to make up for some past delinquencies. We therefore gave them a bonus that they did not earn, and to which they were not entitled, according to the Secretary of the Navy. They are receiving that bonus for the current year.

Mr. PITTMAN. Let me read a letter from the Secretary of the Navy on that subject. If the Senator from Massachusetts does not object, I should like to read it now.

Mr. WALSH of Massachusetts. I should like to have the Senator read it.

Mr. PITTMAN. It is addressed to Hon. JAMES A. FREAR, House of Representatives, Washington, D. C., and is dated January 12, 1921, which is a very late date. The letter is as follows:

JANUARY 12, 1921.

MY DEAR MR. FREAR: I have your letter of January 11 in regard to the allowance of the \$240 per annum bonus to employees of the Naval Establishment.

Prior to the increase authorized by the department, effective September 16, 1920, the rate of pay for representative trades was \$6.40 per diem, or \$0.80 per hour. Under the 5 per cent increase allowed under the above-mentioned adjustment, which was in addition to the allowance of the congressional bonus of \$240 per annum, the basic rate of pay for representative trades was \$6.72 per diem, or \$0.84 per hour, which, plus the above-mentioned bonus of \$0.76 plus per diem, or \$0.093 plus per hour, equals \$0.933 per hour, this being the official rate determined and approved by me as a proper and just rate at this time.

The law under which employees receive the bonus distinctly states that we must count this bonus as a part of the regular wage in making any revision of wages. As this bonus is not paid from Navy Department funds, our wage scale, as issued, shows an apparently lower rate than \$0.933 per hour, but this does not alter the fact that \$0.933 is the rate which the board considered the representative trades were entitled to.

Should Congress fail to continue the bonus, the result will be an automatic decrease in the amount received by the men below the sum which I have already approved as being just and proper.

It is quite true that the reduction in the number of working hours per week from 48 to 44 will result in the loss of a half day's pay per week to employees. The action of the department with respect to reducing the working hours was taken at the earnest solicitation of organized labor as a step toward the betterment of working conditions.

Sincerely, yours,

JOSEPHUS DANIELS,

Secretary of the Navy.

Hon. JAMES A. FREAR, M. C.,

House of Representatives, Washington, D. C.

Just a word of comment on that letter and I am through.

Mr. WARREN. Mr. President, I ask that an excerpt from the House hearings on the pending bill from the testimony of Mr. Woodbury, the Assistant Secretary of the Navy, may go in the Record after the letter which has been read by the Senator from Nevada. Perhaps the Navy Department can explain it. The testimony of Mr. Woodbury was all the evidence the committee had before it.

Mr. WALSH of Massachusetts. Mr. President, from the letter of the Secretary of the Navy which has been read, it appears that the appropriation act of last year which provided the bonus for navy yard employees compelled the wage board to take into consideration the bonus which it is now proposed to take away; in other words, the wage board will have to begin all over again and readjust the salaries, having previously passed upon their salaries having in mind the provision of law that gave them a bonus. There is no money at the command of the department, and there is not likely to be, to provide for the payment of the additional wage that may be authorized by the wage board. I will read the provision of the law referred to, found on page 66 of the act.

Mr. POMERENE. Pardon the interruption. Before that is read, the chairman of the committee has sent to the desk another statement, evidently one furnished by the Navy Department.

Mr. SMOOT. By the Secretary of the Navy.

Mr. WARREN. I stated what was stated before the committee by this department.

Mr. THOMAS. Let it be read.

Mr. POMERENE. I was simply going to ask that it be read for the information of the Senate.

Mr. WARREN. Very well; have it read.

The reading clerk read as follows:

HIGH WAGE SCALE OF THE NAVAL ESTABLISHMENT.

Mr. WOOD. Mr. Woodbury, I want to call your attention to a certain position taken by the Secretary on September 4, 1920, in a communication to all the chiefs of bureaus. Section 1 reads as follows:

"The labor wage adjustment board appointed to consider the question of a readjustment in the wages for employees under the Naval Establishment finds that the existing wage scale for the Naval Establish-

ment is higher, the \$240 per annum congressional bonus considered, than the wage scale of any other industry as a whole in the United States of which it has information. The present wage scale of the shipbuilding industry is lower than that of the railroad industry. The difference between the navy yard scale and the shipbuilding industry is practically the congressional bonus of \$240 per annum, which was granted to all employees under the Naval Establishment on July 1, 1920, who are receiving less than \$2,740 per annum."

Mr. THOMAS. Who is the author of the document just read?

Mr. SMOOT. This is the statement of the Secretary of the Navy.

Mr. WARREN. This is the Assistant Secretary, who has charge of all the wage matters of the Navy Department.

Mr. PITTMAN. Who is Mr. Wood?

Mr. WARREN. This is the statement of Mr. Woodbury, who is the Assistant Secretary of the Navy.

Mr. PITTMAN. I asked whose language it was that has been read.

Mr. WARREN. The language that was read was verbatim the language of the Assistant Secretary of the Navy, Mr. Woodbury, on September 4.

Mr. PITTMAN. All I want to say is this: Whether the wage in that department is higher than it is in other departments or not, neither the Senate of the United States nor the Congress has anything to do with it under the existing law, because under the existing law a wage board is created for the purpose of determining that, and the members of that board have determined that the wage is fair; and in determining what is a fair wage under the law they have had to take into consideration the bonus, and they have taken it into consideration. What the committee is attempting to do is to reduce that wage.

Mr. WARREN. The wage board did not take into consideration for the year 1922.

Mr. PITTMAN. No; but they have taken it into consideration up to this date.

Mr. WARREN. But the old bill goes up to the 1st of July.

Mr. PITTMAN. But if these wages are to be reduced it will be the readjustment board that will reduce them, and not the Senate of the United States; and what the committee apparently is trying to do is to supersede the Navy readjustment board and reduce these wages because Mr. Woodbury says they are higher than those paid in civil employment.

Mr. WARREN. Mr. President, if that expression of the Senator does him any good, I shall not object to it; but the committee is not undertaking to do anything but justice toward all, without favoritism to one particular branch of mechanics that pay a big salary to a man, and have for a great many years, to infest the halls of this Capitol, and to be at the doors and accost every Senator here or at his hotel or at his home. I do not think the Senate can be entirely governed by a lobbyist of that kind.

The committee has taken up this subject and looked it through and through, and they are doing justice by those men; and if there is anything the matter, as the Senator would indicate, the wage board has the right to correct it. We can not put per diem men in and out under the same class as the civil service arranged clerks who work the year around. The wages to the per diem men are adjusted from time to time, and if these Navy men are getting ninety-odd cents an hour I do not know that they need any further help along that line.

Mr. WALSH of Massachusetts. Mr. President, I do not see any contradiction between the Woodbury statement and the letter of Secretary Daniels. The letter of Secretary Daniels points out that the wage board have complied with the law, and have considered, in fixing wages, the fact that these men are receiving a bonus. The Woodbury letter points out the fact that with the bonus the employees in certain departments of the Government are being paid more than employees doing like work outside of the Government employment.

Mr. SMOOT. Or, in other words, \$240 more.

Mr. WALSH of Massachusetts. No, sir; I do not so understand it.

Mr. SMOOT. Let me read—

Mr. WALSH of Massachusetts. Pardon me; I wish the Senator would convince me that they get \$240 more.

Mr. SMOOT. Let me read what he says, and then we will see whether he does or not.

Mr. WALSH of Massachusetts. He says that they get more, but it may be only 1 per cent, a small amount.

Mr. SMOOT. No; no.

The difference between the navy yard scale and the shipbuilding industry is practically the congressional bonus of \$240 per annum, which was granted to all employees under the Naval Establishment on July 1, 1920, who are receiving less than \$2,740 per annum.

In other words, if an employee received \$2,700, he would not receive the bonus; but the language is unmistakable. It says

that the difference between the navy yard scale and the scale in the shipbuilding industry is practically the congressional bonus of \$240 per annum. So, Mr. President, all we are doing is simply not to give the \$240 bonus. They received it only one year and that was last year, and it was given then for a reason, as I have stated already.

Mr. PITTMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Nevada?

Mr. WALSH of Massachusetts. Yes; certainly.

Mr. PITTMAN. In other words, with this \$240 plus the wages given by the Navy Department the total compensation amounts to 93½ cents an hour, which the naval readjustment board said was fair. Now, then, because this is more than the ship workers are getting, you intend to cancel what the naval board did by taking the bonus away and reducing their wages \$240.

Mr. SMOOT. No; Mr. President, the Senator is wrong in that statement. The board said that the rate they are receiving now, under the decision of the board, is \$240 more than those in the shipping industry get.

Mr. SWANSON. Mr. President, will the Senator yield to me a minute?

Mr. WALSH of Massachusetts. Yes; certainly.

Mr. SWANSON. I think the Senator is mistaken to this extent: As I understand, the bonus is paid out of the appropriation carried by this bill. I was not here when the discussion started. The balance of the wages is paid out of the naval appropriation bill.

Mr. SMOOT. That is correct.

Mr. SWANSON. Now, then, in fixing the wages of these naval employees the wage board reduced them to the extent of the bonus. You see, the law fixing the naval employees' wages provides that their wages shall correspond to the wages paid for similar work in the surrounding section. Now, as I understand the law, when the wage board fixed the wages this appropriation carrying the bonus of \$240—

Mr. SMOOT. There is not any appropriation here.

Mr. SWANSON. I know it; but it is not paid out of what is known as the naval appropriation. I am satisfied that that is correct. Then the naval bill appropriates money to pay the employees in these navy yards. Last year, when these wages were fixed, they knocked off so much. This bonus amounted to so much an hour, so much a day, and consequently the naval appropriation pays that much less.

Mr. WARREN. No.

Mr. SWANSON. I am satisfied that that is true.

Mr. SMOOT. But it is not true.

Mr. WARREN. I quoted the Senator's own witness to show that they did not do it.

Mr. SWANSON. There is a letter here from Secretary Daniels in which he says that the labor board, in doing it, did it in that way, and I am satisfied that it was done. Now, if it was done in that way, to defeat this amendment at this time has this effect: If the wage board considered this bonus and subtracted it from the amount they paid out of the naval appropriation bill, which I think is shown by the letter that has been referred to—I have not the letter with me, but I think it explains it—when you defeat this amendment you subtract from their wage until the wage board can meet and add to it—that is, after the 1st of July.

Mr. WARREN. How long does it take the wage board to meet when they are called together?

Mr. SWANSON. They could meet immediately, but the system is this: They generally meet in October, November, and December and fix the wages to commence in January. That is the usual custom. If that is true—and I think it is true—

Mr. WARREN. One moment right there.

Mr. SWANSON. These employees would lose that much of their wages until the wage board met and reconsidered the matter and included it in the wages paid out of the naval appropriation bill.

Mr. WALSH of Massachusetts. Until Congress appropriated more money for this and other departments above the usual appropriation.

Mr. SWANSON. No; if the naval appropriation bill appropriated the money and fixed the wages current in the locality, it could be paid out of that; but, as I understand, it could not be remedied until the wage board met.

Mr. WALSH of Massachusetts. Exactly.

Mr. WARREN. Now, if the Senator will permit me, when we call a witness before us he has notice to perfect his knowledge; and when a Secretary or his assistant comes before us, especially where the assistant has everything connected with the

wages to attend to, while we do not put the witness under oath, when he gives his testimony and has never taken it back I think it is stronger than personal letters to individuals, even from the head of the department, who pays no attention to the matter of wages. I am just as well satisfied as I am that the Senator from Virginia, fine-looking as he is, is looking at me that they have had this \$240 extra, as they have themselves said, as we intended it to be last year to make up for the past.

Mr. SWANSON. There has always been a dispute between the employees of the Navy and the department as to whether they got wages as high as those paid in the shipbuilding industry in the surrounding country.

Mr. WARREN. Ah! That is another thing.

Mr. SWANSON. All that this witness says there is that they get more than those employed in the shipyards by \$240; but the wage board meets and hears the evidence on both sides, the employees furnish their affidavits as to what is paid, the employers in these shipyards furnish their evidence, and then, on that evidence, the Navy Department must pay the same wages that are paid in the same business in the surrounding section. There has always been a dispute. The employees to-day say they do not get as much as is paid in the shipyards in this place and that place by private people. The employers say they get more; so the board is appointed to determine what is the current wage paid in that community.

Mr. SMITH of Arizona. Mr. President, will the Senator from Virginia permit me to ask him a question for my own information?

Mr. SWANSON. Yes.

Mr. SMITH of Arizona. Do I understand him to say that in the appropriations for this wage made to the Navy Department they in their estimates have made allowance for the \$240 alleged bonus, and have subtracted it from what they would otherwise pay if the bonus were not given?

Mr. SWANSON. That is what I understand. Secretary Daniels says in his letter, which I have here before me, that when the wage board met they fixed a certain scale of wages. Then, as these people under the law of last year got the bonus of \$240, they subtracted it from the wages, and paid them so much; and as I understand all the wages except the \$240 bonus are paid out of the naval appropriation bill, and this amount is paid out of this appropriation bill.

Mr. WARREN. Now will the Senator listen to me? It all comes out of the Treasury of the United States. The Senator is wrong in two things. In the first place, the witness that I quoted did not allude to the Shipping Board alone, but his statement covered all of the similar industries in the United States.

Mr. SWANSON. I say, that has always been a matter of dispute. The employees of the navy yard to-day say they get less than the shipyards pay. The employers of labor in the shipyards say they get more. In order to ascertain what is a fair wage for that business, we have had this board appointed. The only question is as to whether or not this board considered the \$240 bonus in fixing the wages. I understand from Secretary Daniels that they did, and subtracted it, and I understand that that amount is paid out of a different appropriation.

Mr. WARREN. How could they subtract it for 1922 when there is no law saying that they can have it?

Mr. SWANSON. Last year we passed that law.

Mr. WARREN. I am not talking about last year. I am talking about this year.

Mr. SWANSON. We can not do it this year.

Mr. WARREN. There was not any subtraction.

Mr. SWANSON. The wage board says, "Instead of getting so much an hour, you get 7 or 8 cents an hour less because you got a bonus of \$240." That is what I understand.

Mr. PITTMAN. I would like to ask a question of the chairman of the committee. Does the chairman of the committee dispute the fact that the Navy wage board agreed on 93½ cents per hour in the navy yard?

Mr. WARREN. I have not gone into that matter, but I remember the Senator read something about ninety-odd cents per hour.

Mr. PITTMAN. The Secretary of the Navy, in the letter which I just read, stated—

Mr. WARREN. I am not questioning the 93 or more cents an hour. They may pay 110 cents an hour for aught I know.

Mr. PITTMAN. I want information. Assume that it is the statement of the Secretary of the Navy that the naval readjustment board agreed on 93½ cents an hour for these men in the navy yards. We will assume that. The Secretary of the Navy states that by reason of the bonus, if the bonus is cut off, they will receive only 84 cents an hour at the navy yard. Is that disputed?

Mr. WARREN. All I know is that the witness, whom I presume the Senator has seen, told me that they had their raises all right, but they did not get the percentage as high as they ought to have it, and they wanted this bonus.

Mr. PITTMAN. Just a moment. If it is a fact that the readjustment board fixed their wages at 93½ cents an hour and the Navy is paying only 84 cents an hour plus the bonus, then if they do not get the bonus they will get 84 cents instead of what the Navy readjustment board agreed they ought to have, 93½ cents an hour.

Mr. WARREN. I am not ready to believe that the Navy Department is so disorganized that the Navy board is recommending one rate of payment and the Secretary of the Navy another, although it appears that the Secretary and the Assistant Secretary are quoted in exactly opposite terms, one as a witness before the committee who sought to do justice to these men, and the other, who does not pay much attention to the wages, as we all know, writing to different Senators who write him, and where probably some clerk writes the letters and he signs them, with dozens of others. When a man says a thing, testifying before a committee, he generally knows what he is talking about. But the head of a department, who signs a pile of letters handed to him by a clerk, who stands with a blotter and as fast as he signs them, blots them and takes them away, is likely sometimes to be mistaken in what he says in a communication thus handled.

Mr. PITTMAN. Mr. President, time and time again we have heard the chairman of the committee stating that there was a contradiction between the letter of the Secretary of the Navy, and the statement of the Assistant Secretary of the Navy. He believes that to be a fact, of course, and I wish he would give it consideration, because his opinion has great weight. Both statements are in the Record. The Secretary of the Navy does not deal with what is a fair or not a fair wage; he states facts. He states that the readjustment board of the Navy fixed the pay at 93½ cents an hour, and that the wage is made up from two sources; the employee is paid 84 cents from the Navy fund and 9½ cents from this bonus fund. Under the law, the readjustment board, having fixed the rates, had to take into consideration the amount to which the men would be entitled under the bonus provision. What did the Assistant Secretary say? The Assistant Secretary did not deny that. He did not dispute that. All he said was that that 93½ cents an hour, fixed by the readjustment board, was higher than the wages received in the shipyards of the country.

Mr. WARREN. Not the shipyards—all classes of industry.

Mr. PITTMAN. Or anywhere; I do not care where. He said it was higher than the wages received anywhere. But what have we to do with that when the law establishes in the Navy Department a board to determine what is right? They have determined that 93½ cents an hour is right, and under the law they have had to deduct the bonus from the wages paid by the Navy Department. They did deduct it. This committee wishes to abolish the work done by the Navy readjustment board, and they wish to ignore the statement of facts made by the Secretary of the Navy, and in lieu of that, because the Assistant Secretary of the Navy has voluntarily stated that this rate is higher than the rates in other works of the country, they are going to constitute themselves into a navy readjustment board and reduce the wages of these naval employees from 93½ cents to 84 cents. That is exactly the result of the amendment offered by the committee, and it is such reductions of wages that the amendment of the Senator from Massachusetts seeks to prevent.

Mr. SMOOT. Mr. President, I wish merely to say that this bill does not take effect until July 1, 1921. If the statement of the Assistant Secretary is wrong, if there is not any truth in it and it is not to be relied on, then these men can go to the board, and they can adjust the matter there with that board, and they are not going to lose anything. They have until July 1 to do it. So it is perfectly useless to consider this question here and to put these men on. We did them a favor a year ago, and this is what we get for it.

Mr. WALSH of Massachusetts. Mr. President, I want to know, and I am sure other Senators want to know, whether the changes made by the committee in the bonus amendment now under consideration amount to a reduction in wages or not. In one sense I do not care whether the committee intends by this bill to cut the wages of certain classes of employees, but when I vote on this measure I want to know what class of employees in the Government service are to have their wages reduced and by what sum of money they are to be reduced.

I know one thing, that if the amendment proposed by the Senator from New York [Mr. CALDER], which I just moved, is adopted, there will be no change whatever. I know another

thing, that the law of last year has been changed by this committee amendment, and I am going to read to the Senate the exact change that is about to be made in that law if this bill is adopted. There has been stricken out of the provisions of the bonus law of last year the following language:

Provided further, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees.

In other words, in the bonus law of last year the wage boards were compelled to take into consideration, in fixing wages of certain employees, the fact that they were receiving a bonus. That compulsion is now stricken out by the amendment of this year, so that hereafter wage boards will not take into consideration any bonus being paid to certain employees of the Government.

Let me say in this connection that we are not dealing with naval employees alone. We are dealing with employees in the arsenals of the country; we are dealing also with employees in the printing plant; we are dealing with every employee who has to go before a wage board for the adjustment of his wages.

We have a right to know, and I insist upon knowing, whether the striking out of this language and the insertion of the clause I am about to read amounts to a cut in wages or a reduction in the number of employees in these and other departments.

Mr. SMOOT. The answer to that is this—

Mr. WALSH of Massachusetts. I do not yield now; I will be glad to yield later.

Mr. SMOOT. I thought the Senator wanted an answer.

Mr. WALSH of Massachusetts. I will be glad to have the Senator's views, which I know are always entitled to much weight and consideration.

I have pointed out what was stricken out of the act of last year. Let us see what has been added. To the clause which says that certain classes of employees shall be exempt from the bonus there has been added this year the following class:

Employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service.

In other words, there is added to the class who are not to receive the bonus the class who have their wages adjusted by wage boards. Who are they? How many of them are within this exclusion?

Now we come to this question: Are there any employees who have had their wages adjusted by wage boards under the provisions of last year's law where wage boards were obliged to consider the bonus in fixing their wage who will be affected by this change in the law?

Unquestionably, yes. Every employee, as the Senator from Nevada [Mr. PITTMAN] has pointed out, who has been before this board, and as to whose compensation the wage board has considered what it had to consider by law, the bonus pay, will on July 1 next have the \$240 bonus taken away from him under this act and will be receiving \$240 less than the wage board, which took into consideration the bonus he was receiving, said he was entitled to as a fair wage.

That class reaches into the thousands, if I understand it correctly.

Mr. GERRY. Is it not also true that if the suggestion of the Senator from Utah is followed out, and the matter is left to subsequent determination by the wage board, it may take six months more?

Mr. WALSH of Massachusetts. Unquestionably so. Not only that, but, as I understand it, all of the employees of the Government Printing Plant, all of the employees in every arsenal and in every navy yard, and I do not know how many other departments, will at once be compelled to go to the wage boards to have their wages readjusted because the bonus has been taken away from them, and then this will follow: If the wage board substitutes an increase in the hourly wage or the daily wage for the loss by reason of the taking away of the bonus, then there must be money in the department, Army, or Navy to meet the increased wage which the wage board says they are entitled to have in lieu of the bonus or there will have to be a reduction in the forces of these departments, and it is intimated—I do not know with what certainty or definiteness—that this bonus-exclusion provision is indirectly a means of reducing the number of employees in the arsenals and in the navy yards of the country. In any event, I do not see how, when July 1 comes, if this bonus is taken away from these men, these employees will not be left in the position of an absolute cut in wages of \$240, unless the wage boards readjust their wages, or unless the various departments of the Government under whose direction these employees work have the money on hand to give the increased wage which the wage board establish. That is a very serious situation.

Mr. THOMAS. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Colorado?

Mr. WALSH of Massachusetts. Certainly.

Mr. THOMAS. Are there any employees of the Government, outside of and beyond those in the navy yards and arsenals, whose pay is adjustable from time to time through wage boards?

Mr. WALSH of Massachusetts. I understand that it applies to the employees in the printing plant and other departments.

Mr. THOMAS. I understand that if the Calder amendment is adopted, which involves the exclusion from the bill of employees whose pay is adjusted from time to time by wage boards and so forth, then it would follow, would it not, that all employees of the Government whose wages may be so adjusted, would be entitled to the bonus?

Mr. WALSH of Massachusetts. Yes; if the Calder amendment is adopted it will leave the law exactly as it was last year.

Mr. THOMAS. The wages of the railroad employees are adjusted by wage boards. Would it not give them at least a plausible reason for insisting upon this bonus?

Mr. WALSH of Massachusetts. I think not, Senator. I think the only thing the Calder amendment would do would be to restore the status of last year to Government employees.

Mr. THOMAS. I know what it is intended to do, but it seems to me it is so broad that it may accomplish a great deal more.

Mr. WALSH of Massachusetts. It seeks to strike out the new exemption and to restore the language of the amendment of last year. It can do no more harm than the present law. I do not know that it is necessary to say very much more, except that a vote for the Calder amendment which I have moved is a vote to leave the bonus situation and condition as it was last year. A vote for the committee amendment is a vote to make radical changes in the giving of bonuses to certain classes of employees, and leaves open a situation which will result either in a substantial cut in wages or will lead to the discharge of a large number of Government employees.

[At this point Mr. SMOOT addressed a remark to Mr. WARREN.]

I think I agree with the Senator's undertone remark that it would perhaps be a good thing to discharge a number of the Government employees, but I want to do it in the open. I do not want to do it under cover.

Mr. SMOOT. The Senator from Utah did not say that at all.

Mr. WALSH of Massachusetts. Pardon me!

Mr. SMOOT. What I said to the Senator from Wyoming had no reference at all to the matter under discussion by the Senator.

Mr. WALSH of Massachusetts. I agree with the sentiment of what I understood the remark to be, but I repeat I want to do it in the open. I want to cut employees and wages in the open, and I do not want to cloak an amendment with language and phrases that are uncertain and indefinite, or that appear to be, so that the average employee of the Government will not understand just what his rights may be under the language of the bill. I hope that the Senate, in the absence of some provision made to substitute a wage for the bonus, will adhere to the position taken by Congress at its last session and treat all Government employees alike in the matter of the bonus. Let us readjust this whole bonus business at one time and not by piecemeal.

One further suggestion: It has been pointed out that mechanics working for the Government receive a higher wage than is often paid to mechanics in private employment. I do not know whether that is true or not, but I do say that I do not believe it is any more definite or certain that they do than that the clerical forces, and those who receive the bonus under the amendment of the committee, are paid more than is paid in private employment.

I hope the Senate will determine to leave the bonus situation as it was a year ago and will agree to the amendment to the committee amendment moved by me.

Mr. THOMAS. Mr. President, when the bonus system was introduced into our legislation I was unwise enough to predict that it would lead to a great many complications and to a great deal of difficulty, because once we had begun the process and set the precedent for bonuses we would find it extremely difficult to break away from it.

The purpose for which bonuses were granted originally was largely that exigencies existed which required them, those exigencies consisting of a largely increased cost of living. We were assured that they were to be abandoned when the exigency calling them forth had disappeared. The appearance of the amendment in the pending bill, I think, justifies the reflection that we will never get rid of the bonus proposition until the amounts which are covered by the bonuses are crystallized into

existing salaries and become a permanent part of salary increase.

We are face to face with falling prices, but that circumstance does not in the slightest degree affect the question of the bonus. Those who are enjoying it are even more persistent. Their representatives around the Capitol are more numerous and more active than ever before, and I do not doubt that the committee in all probability surrendered to this amendment because they could not help themselves.

Mr. SMOOT. So far as I am concerned, I will say to the Senator that this is the last bonus that I shall vote for in the way we have here provided it.

Mr. THOMAS. The Senator can speak for himself, of course, but he can not speak for the Congress.

Mr. SMOOT. That is true, but I wish I could.

Mr. THOMAS. The difficulty is that we have set the precedent, and as long as the precedent has been established the influences which induced Congress to allow the bonus will, I think, find abundant material to successfully work on in future Congresses. That, however, is by way of this digression.

I think the difference between the Senator from Massachusetts [Mr. WALSH] and the chairman of the committee [Mr. WARREN] is a difference of fact. I have listened patiently to their discussion, and I confess that I am somewhat confused, possibly because of my obtuseness.

If I understood their attitudes on the question of fact, the Senator from Massachusetts insists that the bonus, the amount of which was practically given to the employees of the Navy Department for the present year, will by this exception be excluded from those employees next year, while the chairman of the committee insists that the bonus will be taken into consideration next year just as it was in the arrangements for this year and that consequently, without the exception, the employees concerned would virtually receive the bonus twice over.

Mr. WARREN. That is quite right.

Mr. THOMAS. Of course the Senator from Massachusetts does not want that, and it therefore resolves itself, it seems to me, into a question of fact. If the chairman of the committee is right, the exception should remain in. If the chairman of the committee is wrong, then of course the amendment offered by the Senator from Massachusetts would be pertinent.

In that connection, I was somewhat interested in the amounts stated and what they represented by way of monthly and yearly salary or wages. At 84 cents an hour these employees receive \$181.60 a month, which would be \$2,179.20 a year. That is a pretty good salary in these hard times, or pretty good compensation, and far above the average compensation paid throughout the country. At 93½ cents an hour the monthly wage is \$224.40, and the yearly wage is \$2,692.80. If to that, \$240 is added, the total wage would be \$2,932.80, or, if limited to the amount necessary to make it \$2,750, of course it would take less than one-half of the bonus to do so.

But the outstanding fact is that this class of employees is well paid. If the committee takes the position, and it has certainly given the matter a great deal of thought, that the bonus is included in the bill or will be included by the board if the bill passes in its present form, then I think the amendment should be rejected.

But there is another objection to the amendment—

Mr. SMOOT. Before the Senator leaves that point may I call his attention to another matter?

Mr. THOMAS. Certainly.

Mr. SMOOT. Not only do they receive the amount that the Senator states, but every one of them receives 30 days leave of absence with pay, receives also the half holidays, receives pay for the holidays, and receives sick leave.

Mr. THOMAS. Oh, yes; of course, I am aware of those tremendous advantages in the way of privileges which are enjoyed by employees of the Government, no matter what the rank or grade may be.

The other objection to the amendment seemingly lies in the question which I asked the Senator from Massachusetts, and that is as to its effect upon other classes of employees whose wages are fixed by boards of control. If we strike this out we may find ourselves involved in a maze of difficulties, and, of course, resulting in enormous added expense to the Government. I do not know, I do not pretend to be at all familiar with the extent to which wages are fixed by boards and consequently the extent to which the elimination of the class involved in the amendment would go; but that is a matter of very serious concern and unless that is explained more satisfactorily than at present I shall be obliged to vote against the amendment.

I should like to ask the chairman of the committee or the Senator from Utah what the added burden to the Treasury would be approximately through the operation of the \$240 bonus?

Mr. SMOOT. I should think it would be between \$15,000,000 and \$16,000,000.

Mr. THOMAS. It is an enormous sum of money. My own opinion is that the firemen of the District are practically the only ones who are entitled to it. I do not think that their pay is commensurate with their duties or their responsibilities. I hope that hereafter the assurance given by the chairman of the committee and by the Senator from Utah will be followed, because just so long as the bonus feature exists, just so long will Congress be confronted with innumerable difficulties and insistences upon the extension of the system until it will involve all classes and conditions of employees.

Mr. SMOOT. Mr. President, I wish to change the statement which I just made. I had reference then only to the employees in the District of Columbia. The bonus applies to outside employees, of course, and I will say to the Senator from Colorado that it amounts to nearly \$50,000,000.

Mr. THOMAS. I thought the Senator's estimates were very small comparatively, but he is so much more familiar with the subject than I am that I did not have the audacity to question his figures.

Mr. SMOOT. The first figures that I gave referred only to employees in the District of Columbia.

Mr. THOMAS. I remember very distinctly that two or three years ago, when I asked the same question, and when the bonus, I think, was only \$120, it was stated it would aggregate somewhere in the neighborhood of \$25,000,000.

The PRESIDING OFFICER. The question is on the amendment to the committee amendment.

Mr. HARRISON. Is it the committee amendment which we are now to vote on?

Mr. WARREN. It is the amendment to the committee amendment.

Mr. HARRISON. On the amendment to the amendment?

Mr. WARREN. It is on the amendment to the amendment which was offered by the Senator from Massachusetts [Mr. WALSH].

Mr. WALSH of Massachusetts. I offered the amendment on behalf of the Senator from New York [Mr. CALDER].

Mr. SMITH of Arizona. Mr. President, before the vote is taken I wish to be informed by some Senator who knows, if any one does, whether or not the measure as reported by the committee in this particular case covers the amount allowed by the wage board? If it does, there is no necessity for the \$240 bonus; if it does not, there is a necessity that that amount shall be made good, not merely in the amount of \$240 but whatever is necessary in order to make good the deficiency which may result by a failure to follow the principles established by the wage board. If I can obtain the information as to that fact, I shall know how to vote.

Mr. SMOOT. I will say to the Senator from Arizona that this bill will not take effect until July 1 of this year and will end on June 30, 1922, and the navy yard employees will have a perfect right to appeal to the board any time between those dates, and that board will determine what they are to receive.

In answer to the first question which the Senator from Arizona has asked, I desire to read him what is said by the Assistant Secretary of the Navy, the official who has these matters in charge. He came before the committees of Congress and asked for the necessary appropriations. The Senator from Arizona is a member of the Appropriations Committee, and I know that he knows that no head of any department ever asks for too little money.

Mr. SMITH of Arizona. I am conscious of that fact.

Mr. SMOOT. This is what the Secretary of the Navy said:

The difference between the navy yard scale and the shipbuilding industry is practically the congressional bonus of \$240 per annum, which was granted to all employees under the Naval Establishment on July 1, 1920, who are receiving less than \$2,740 per annum.

Mr. WALSH of Massachusetts. In answer to the Senator from Arizona, I desire to suggest that the amendment of the committee either does or does not make a change in the law. If it does make a change in the law, it must have been in the interest of economy, and if it is in the interest of economy it is a cut in wages. If it does not make a change, then what is the harm to pay everybody the same as they were paid last year, and let the amendment of last year stand, as the Calder amendment proposes? The committee proposal is an indirect way of cutting down wages or reducing employees. There is not any explanation for it otherwise. What is the harm? If conditions are the same as last year and no wages are to be reduced, why not let last year's provision be adopted? The money will come out of the same department; it will come out of the Treasury. Here is an effort made indirectly to put a certain class of employees—some of the most efficient, the highest class in the Government service, mechanics—into a different class and to take a

bonus away from them under a provision made in this proposed law.

Mr. SMITH of Arizona. I do not get the information I desire from the statement of the Senator from Massachusetts.

Mr. WARREN. I wish to address the Senator before he takes his seat. I take issue with the statement that this is an indirect way of doing somebody an injustice.

Mr. WALSH of Massachusetts. It is in the interest of economy.

Mr. WARREN. Let me have a moment, please. The bonus provision was inserted in the bill last year at the instance of the person to whom reference has been made to cover one class concerning whom the claim was made that they had not received equitable compensation.

Mr. WALSH of Massachusetts. Do I understand the Senator from Wyoming to say that the bonus of \$240 to the employees who had their wages fixed by a wage board—

Mr. WARREN. I can not hear the Senator.

Mr. WALSH of Massachusetts. Was there a gift made last year of the bonus of \$240 to the wage earners who had their wages determined last year—

Mr. WARREN. I do not yet understand the Senator.

Mr. WALSH of Massachusetts. I understood the Senator to say that the provision was put in last year at the request of somebody and taken out this year. It was put in last year for a good reason—it must have been for a good reason—and for a valid reason, namely, that somebody was entitled to it, and yet it is being taken out this year. Either the Senator's committee is seeking to change the law of last year for purposes of economy, or it is not. If the purpose of eliminating the bonus is to promote economy, it is designed to reduce wages by taking the bonus away from employees; and if conditions are the same as last year, and it is not proposed to change the wages, what is the harm in the provision of last year's bill which provided for the bonus?

Mr. WARREN. If the Senator means that we propose to reduce wages he is certainly mistaken. All that it does is to maintain wages as they now are.

Mr. WALSH of Massachusetts. Why not let the provision of last year's bill remain and adopt the Calder amendment, which will leave it just as it was last year?

Mr. WARREN. I do not care to discuss the matter, and I hope the amendment to the amendment will not prevail.

Mr. PITTMAN. Mr. President, I should like to answer the Senator from Arizona. The law provides for a Navy adjustment board to fix the wages of certain employees in the Navy Department. It also provides that from the wages it fixes must be deducted the amount that is given to any employee as a bonus. The board fixed 93½ cents an hour as the rate of wages. It found that through the bonus the men got 9½ cents an hour. It deducted the 9½ cents an hour from the 93½ cents. The Navy Department, then, pays the men 84 cents an hour, and the General Government, through this appropriation, pays them 9½ cents an hour. If we cut off the 9½ cents an hour, the men will receive 84 cents an hour, which is 9½ cents less than the Navy wage board says they are entitled to.

Just one further suggestion. The Navy wage board does not have to meet under its rules and regulations until October.

Mr. SMITH of Arizona. But it can meet whenever it pleases.

Mr. PITTMAN. The Navy board can meet when it pleases, but it does not have to meet until October. These men may receive 84 cents from July 1 until October, while they are entitled to receive 93½ cents. If, on the other hand, the Navy board is anxious to cut their wages down, they can call themselves together and reduce the wages to 84 cents; in other words, it is within the power of the Navy board to reduce wages, but it is not in the power of these employees to compel them to meet until October for the purpose of adding the 9½ cents that will be due them if you adopt the committee amendment and exclude them from the bonus.

Mr. SMITH of Arizona. The Senator does not yet catch the point that I make. I agree with all he has said, provided the facts are as stated; but we have a very different statement from a man who, in my judgment, knows better than the Secretary himself about this particular matter. My purpose is—and that was the purpose of the committee, as I understand—to allow these men every cent that the wage board has ever given them. It is claimed here by the chairman of the committee that the bill as reported does do that; on the other hand, that statement is denied, and it is said on the floor that the provision reported by the committee does not do that. Therefore, we are met by this condition: The wage board fixes a certain amount for these employees; then, without any right on their part, they ask for an appropriation, if you please, conditioned on a \$240 subtraction, which, for the Congress to pass in another bill in

the shape of a bonus, a word the sound of which you and I and no one else likes. These employees ought to have and will have, if my vote can give it to them, just exactly what the wage board gave them. If it can not be gotten in any other way, I will vote a sufficient bonus to pay them, in order they may get that much, but no more. I am, however, in a dilemma, for one Senator says that the full wage is provided, and another one says it is not.

Mr. PITTMAN. Mr. President, let me ask the Senator a question. He is in a dilemma. He is between a statement on behalf of the committee that the Assistant Secretary said the wages were too high, on the one hand, and on the other a positive statement from the Secretary of the Navy that unless these employees are paid the bonus they will not receive the wages allotted them by the Navy wage readjustment board.

Mr. SMITH of Arizona. I have read that letter myself and I know its contents very well. The Senator will pardon me for knowing that.

Mr. PITTMAN. If the Senator has read everything I will not prolong the debate. However—

Mr. SWANSON. Mr. President, I should like to say—

Mr. PITTMAN. I will ask the Senator to wait a moment. I wish to say that the Assistant Secretary of the Navy, Mr. Woodbury, upon coming into office in place of Franklin D. Roosevelt, stated that the total wage allowed was higher than the basic wage in general industry. That is true when you take the average basic wage in general industry, but when you compare this wage of 93½ cents an hour for these skilled mechanics in the navy yards with the wages paid skilled mechanics in railroad establishments you will find that the two are practically the same. You will also find that there are schedules of \$1.50 a day less than these in navy yards for unskilled men.

Now, let me say something about the navy-yard workers. I have been on the Naval Affairs Committee for a long time and I know that some of these employees have been working in the navy yards for 20 years and they are skilled in the particular business. I wish also to say that all during the war great private shipbuilding companies came to the navy yards and tried to bribe those men to leave the Government employ time and time again; they offered them two and three times what they were receiving in the navy yards, but I will say, for the patriotism of those men, that very few of them left the service of the United States.

The proposition here is, because the Assistant Secretary of the Navy said these men were getting high wages, to ignore the board which fixes their wages and automatically by this bill to deprive them of 9½ cents an hour.

Mr. SWANSON. Mr. President, will the Senator from Arizona permit me to interrupt him?

Mr. SMITH of Arizona. I will ask the Senator to wait for a moment; I think I have the floor. If, however, the Senator desires to make a statement to me, I will listen to him.

Mr. SWANSON. Very well, I will make it to the Senator; I will make it by asking the Senator from Utah—

Mr. SMITH of Arizona. By appealing to the Senator from Utah the Senator from Virginia is diverting me from my answer to my friend from Nevada.

Mr. SWANSON. I merely wish to make the distinct issue as to whether the 9½ cents will be lost to the employees under the terms of this bill or whether it will not be?

Mr. SMITH of Arizona. That is the information I have been asking for all the time.

Mr. SWANSON. I wish to make it clear to the Senator. The Senator from Utah will admit this—and I ask the attention of the Senator from Utah—the difference between him and the Senator from Nevada—

Mr. SMITH of Arizona. Mr. President, I do not want the Senator from Virginia to divert attention from what I have been saying to the Senator from Utah, for it breaks up entirely my line of thought.

Mr. SWANSON. Very well; I yield to the Senator.

Mr. SMITH of Arizona. I do not want to have the Senator from Nevada do what I know he would never intentionally do, namely, put me in the attitude of showing any lack of appreciation for the great service performed by the men in the Government navy yards; nor do I want him to put me in the attitude of abating one dollar of their pay below what the board has fixed. Congress has got to be guided by something in a matter such as this and has consequently provided a rule under the operations of the wage board to determine such matters, and that is the rule I am attempting to enforce. I have said, and I reiterate, if the provision reported by the committee does not give them their full wage as allowed by the wage board last year, then I am in favor of seeing that they do get it.

This bill will commence to operate on the 1st of next July, the beginning of the ensuing fiscal year, so that conditions as they are at present will continue in force until the 1st of July. There will be plenty of time for a meeting of that board between now and that date to adjust matters, if on account of any conclusion reached here it should be deemed necessary to adjust them. The dilemma of which I spoke has not been relieved very much by the statement of the Senator from Nevada, for it left the matter where I already knew it to be, namely, between the Secretary of the Navy and the Assistant Secretary of the Navy.

Mr. SWANSON. Now, Mr. President, will the Senator from Arizona allow me to make a brief statement?

Mr. SMITH of Arizona. I yield.

Mr. SWANSON. The wages of these men are fixed and will continue as at present until the wage board meet again.

Mr. SMITH of Arizona. I know that, and the wage board can meet to-morrow if they want to.

Mr. SWANSON. If they meet and fix the wages before the 1st of July, very well; but if this provision should become a law—and we might just as well face the issue—and the wage board does not meet before the 1st of July, the Senator from Utah will admit that then from their wages 9½ cents an hour will be taken?

Mr. SMITH of Arizona. But that can be restored by the board.

Mr. SWANSON. It can be restored by the board when they meet; but the board ordinarily meets in October; they can not be compelled to meet until then. They meet in the winter, about the 1st of January, to fix the wages, and until that board meets and fixes the wages, there is no question that the men will lose 9½ cents an hour.

Mr. SMITH of Arizona. If the Senator from Utah will admit that they will lose 9½ cents an hour, I will vote for the amendment.

Mr. SMOOT. I wish to say to the Senator from Arizona that the Senator from Utah does not admit anything, except that they are getting now \$240 a year more than is being received by similar employees in any other industry in the United States, as the Assistant Secretary of the Navy has stated.

Mr. SWANSON. I am not arguing whether they get higher or lower wages than employees in general industries; all I am arguing is that the law has provided the wage board to fix their wages, and under the law passed last year the wage board in fixing those wages knocked off 9½ cents on account of the bonus. Now, if we eliminate the bonus the employees will lose 9½ cents after the 1st of July unless the wage board shall meet between now and then and adjust the wage which will be paid after the 1st of July.

Mr. SMITH of Arizona. Unless the appropriation which the bill provides for the Navy Department gives them enough to pay these men what the board has found.

Mr. SWANSON. It makes the appropriation; but until the wage board meets nothing can be done, because the wage board fixes the wages.

Mr. HEFLIN. Mr. President, does it require any authority for the wage board to meet, or is it left in the discretion of the wage board as to when it shall meet?

Mr. SWANSON. I think they are obliged to meet about the 1st of October.

Mr. PITTMAN. Not before the 1st of October?

Mr. SMOOT. Oh, they can meet at any time they want to.

Mr. SWANSON. They can meet at any time they want to.

Mr. SMOOT. And if a request were made of them, I have not any doubt but that they would meet. There is nothing in the law to prevent them from meeting until October 1.

Mr. GORE. Mr. President, I should like to suggest that we throw heads and tails to see which is right.

The PRESIDING OFFICER (Mr. GOODING in the chair). The question is on the amendment presented by the Senator from Massachusetts [Mr. WALSH] on behalf of the Senator from New York [Mr. CALDER] to the amendment of the committee.

Mr. SMOOT and Mr. PITTMAN called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. PITTMAN (when Mr. HENDERSON's name was called). My colleague [Mr. HENDERSON] is detained on account of illness in his family. He is paired with the Senator from Illinois [Mr. McCORMICK].

Mr. WARREN (when Mr. KENDRICK's name was called). My colleague [Mr. KENDRICK] is absent from the city on public duty. He is paired with the Senator from New Mexico [Mr. FALL].

Mr. MCKELLAR (when his name was called). I am paired with the junior Senator from Ohio [Mr. WILLIS]. I transfer that pair to the junior Senator from New Mexico [Mr. JONES], and will vote. I vote "yea."

Mr. POMERENE (when his name was called). I have a general pair with the senior Senator from Iowa [Mr. CUMMINS]. Not knowing how he would vote, I withhold my vote.

Mr. ROBINSON (when his name was called). I have a pair with the Senator from Michigan [Mr. TOWNSEND] and withhold my vote.

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG], who, I think, is absent. I transfer that pair to the senior Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "yea."

The roll call was concluded.

Mr. HARRISON. I have a general pair with the Senator from Wisconsin [Mr. LENROTH]. I transfer that pair to the Senator from Arizona [Mr. ASHURST] and vote "yea."

Mr. BALL (after having voted in the negative). I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. Has he voted?

The PRESIDING OFFICER. He has not.

Mr. BALL. I withdraw my vote.

Mr. KNOX. I transfer my general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and will vote. I vote "yea."

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH], which I transfer to the junior Senator from Oregon [Mr. McNARY] and will vote. I vote "yea."

Mr. LODGE (after having voted in the affirmative). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. I notice that he is absent. I transfer that pair to the junior Senator from California [Mr. JOHNSON] and will allow my vote to stand.

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut. I am not able to obtain a transfer, and therefore withhold my vote. If at liberty to vote, I should vote "yea."

Mr. PHELAN (after having voted in the affirmative). I am paired for the day with the junior Senator from Maine [Mr. HALE]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will let my vote stand.

Mr. SUTHERLAND (after having voted in the negative). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. He is absent, and I am therefore obliged to withdraw my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT];

The Senator from New York [Mr. WADSWORTH] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Illinois [Mr. McCORMICK] with the Senator from Nevada [Mr. HENDERSON]; and

The Senator from Vermont [Mr. PAGE] with the Senator from Tennessee [Mr. SHIELDS].

The roll call resulted—yeas 28, nays 16, as follows:

YEAS—28.

Borah	Gore	Lodge	Sheppard
Capper	Harris	McKellar	Simmons
Colt	Harrison	Moses	Smith, S. C.
Dillingham	Hefflin	Pheasant	Swanson
Fernald	Keyes	Pittman	Trammell
Gay	Knox	Ransdell	Underwood
Gerry	La Follette	Reed	Walsh, Mass.

NAYS—16.

Curtis	Jones, Wash.	Nelson	Smoot
Dial	Kenyon	New	Sterling
Gooding	King	Phipps	Thomas
Gronna	McCumber	Polindexter	Warren

NOT VOTING—52.

Ashurst	Frelinghuysen	McLean	Smith, Ariz.
Ball	Glass	McNary	Smith, Ga.
Beckham	Hale	Myers	Smith, Md.
Brandegee	Henderson	Newberry	Spencer
Calder	Hitchcock	Norris	Stanley
Chamberlain	Johnson, Calif.	Overman	Sutherland
Chubberson	Johnson, S. Dak.	Owen	Townsend
Cummins	Jones, N. Mex.	Page	Wadsworth
Edge	Kellogg	Penrose	Walsh, Mont.
Elkins	Kendrick	Pomerene	Watson
Fall	Kirby	Robinson	Williams
Fletcher	Lenroot	Sherman	Willis
France	McCormick	Shields	Wolcott

The PRESIDING OFFICER. On the amendment offered by the Senator from Massachusetts [Mr. WALSH] on behalf of the Senator from New York [Mr. CALDER] to the amendment of the committee the yeas are 28, the nays are 16. The following Senators are present and not voting: Messrs: POMERENE, ROBINSON, BALL, MYERS, and SUTHERLAND; so the amendment to the amendment is agreed to. The question now is on the amendment as amended.

Mr. CURTIS. Mr. President, I make the point of order against the amendment that it is general legislation on an appropriation bill and in violation of section 3 of Rule XVI.

Mr. WARREN. There is not any question about the point of order. It is legislation entire and as a whole.

Mr. PITTMAN. Mr. President, I rise to a point of order. The point of order can not be made after a vote is taken.

Mr. CURTIS. I make the point of order on the entire amendment, and I can make it even when the bill is in the Senate. I make it on the whole amendment, not on the amendment to the amendment.

The PRESIDING OFFICER. The Chair sustains the point of order made by the Senator from Kansas.

Mr. PITTMAN. I appeal from the ruling of the Chair.

The PRESIDING OFFICER. The Senator from Nevada appeals from the ruling of the Chair.

Mr. THOMAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll. The roll was called, and the following Senators answered to their names:

Ball	Harrison	Myers	Smith, S. C.
Capper	Hefflin	Nelson	Smoot
Colt	Jones, Wash.	New	Spencer
Curtis	Kenyon	Phelan	Sterling
Dial	Keyes	Phipps	Sutherland
Fernald	King	Pittman	Swanson
Fletcher	Kirby	Polindexter	Thomas
Gay	Knox	Pomerene	Trammell
Gerry	La Follette	Ransdell	Underwood
Gooding	Lodge	Robinson	Wadsworth
Gore	McCumber	Sheppard	Walsh, Mass.
Gronna	McKellar	Simmons	Warren
Harris	Moses	Smith, Ariz.	

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. There is a quorum present.

Mr. SIMMONS. Before the question on sustaining the decision of the Chair is put I wish to make a parliamentary inquiry. I would like to be informed of the scope and effect of the ruling of the Chair. I understand the Chair has sustained the point of order made by the Senator from Kansas [Mr. CURTIS]?

The PRESIDING OFFICER. He has.

Mr. SIMMONS. The point of order made by the Senator from Kansas is against the whole bonus amendment?

The PRESIDING OFFICER. It is.

Mr. SIMMONS. Therefore if the Chair is sustained, we will cut out absolutely that provision of the bill which applies not only to the navy yard but applies to employees of the Senate as well.

The PRESIDING OFFICER. The Chair so understands.

Mr. ROBINSON. Mr. President, I am very anxious—

Mr. WARREN. I do not understand that we can debate an appeal. If we are to proceed under the rules, we ought to vote on the appeal.

Mr. ROBINSON. I want to make a suggestion, and I think if the Senator from Wyoming will hear me he will not object to the statement I am about to make. If after I have proceeded far enough to indicate the trend of my thoughts he wishes to object, I shall concede that the appeal is not debatable.

I do not think the Senate wants to take the course that will result if this point of order is sustained and no further action is taken. Nevertheless, the rule of law is plain to me. The Chair could have made no other ruling than he has made unless he had disregarded the rules of the Senate. If the Chair is sustained, I shall offer as an original amendment the bonus amendment reported by the committee with the last paragraph stricken out. That procedure will be in order, and the Senate can still observe the law which it has made for the government of its procedure and retain this provision.

Of course, if the amendment incorporated in the committee amendment by a vote of the Senate a few moments ago should

be again offered and agreed to, we would be back to where we have arrived now, should any Senator see fit to make a point of order. But since all Senators, I believe, concur that substantially the committee amendment ought to remain in the bill, even if the amendment offered by the Senator from Massachusetts [Mr. WALSH] for the Senator from New York [Mr. CALDER] can not be put in the bill, I shall offer the committee amendment with the last paragraph stricken out, not as a committee amendment but as an individual amendment, and the Senate can then vote on that amendment, unless some Senator shall see fit to make a point of order against it. Of course, it would be subject to a point of order again, if any Senator should see fit to make it.

The point I am making is that, in view of the fact that by every precedent of the Senate the Chair has ruled correctly, I am not going to violate my consciousness of the law, my conviction of what is the law, in order to retain this provision when it may be done in another way if the Senate wants to do it. So I shall vote to sustain the decision of the Chair.

Mr. WARREN. Mr. President, the Senator from Arkansas, as I understand it, proposes to offer the entire bonus amendment as the committee reported it, but without the last section?

Mr. ROBINSON. Yes; with the last paragraph stricken out.

Mr. WARREN. Which would be lines 7 to 13, inclusive, on page 163?

Mr. ROBINSON. These lines merely require a report on the bonus, and that can be provided by some future law, if a report is desired. By pursuing that course, the Senate can still maintain its rules and retain a bonus provision, if it wants to do so.

Mr. WARREN. That will be acceptable to the committee, so far as I am concerned.

Mr. CURTIS. So far as I am concerned, if the point of order is sustained by the Senate and the amendment is offered, as stated by the Senator from Arkansas, I shall not make a point of order against it.

Mr. WARREN. I shall not object to the amendment as the Senator from Arkansas says he will offer it.

Mr. CURTIS. But if any further amendment is offered I shall renew the point of order.

Mr. LODGE. Mr. President, I agree wholly with the Senator from Arkansas that the ruling of the Chair is absolutely correct. I do not see how there could be any other view. I voted for the navy yard amendment, but I do not desire to see this whole bonus amendment, which, as I regard it, is such an important measure for the employees of the Government, in the District and elsewhere, fail; and I shall not press the navy-yard amendment, so far as I am concerned, if the course outlined by the Senator from Arkansas is adopted.

Mr. HEFLIN. A parliamentary question, Mr. President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. HEFLIN. I understand the Senator from Arkansas will offer his amendment, and when it is offered any other Senator can make a point of order against it?

The PRESIDING OFFICER. The Chair so understands.

Mr. HEFLIN. Then, if a point of order were made and sustained, the Senate would be powerless to legislate on the matter of the bonus. Senators suggest that they could appeal from the decision of the Chair. If the Chair is correct in his ruling, he ought to be sustained. If some Senator does make the point of order against the amendment suggested by the Senator from Arkansas, will it be in order then to move to suspend the rules and proceed to vote on the measure? There ought to be some way by which the Senate can do what it wants to do. Four-fifths of the membership present are ready to vote for this proposition, and yet there is a rule, it seems, that, being invoked by any one Senator, can prevent the great majority of the Senate from doing what it wants to do. I for one am in favor of suspending the rules, if necessary, to put this proposition back in the law.

Mr. WARREN. That can be done only by giving a day's notice, and by a two-thirds vote. Of course, the rules can be changed by unanimous consent; but one objection could defeat that. Otherwise it would have to be done in the manner prescribed by the rules.

Mr. HEFLIN. We would have the same difficulty, because the same Senator who makes the point of order would interpose an objection. I presume if a point of order should be made against the amendment of the Senator from Arkansas the request for unanimous consent to set the rules aside would be defeated by the same Senator, because if he would make a point of order, he would interpose an objection.

Mr. PITTMAN. In the first place, Mr. President, I will state that I disagree with the Senator from Arkansas [Mr. ROBINSON] and the Senator from Massachusetts [Mr. LODGE] with regard to the validity of the ruling of the Chair. There is nothing in

this amendment dealing with anything except appropriations. It is no more general legislation than if, instead of appropriating a lump sum, they had specified just how much should go to every employee of the Navy Department.

Mr. ROBINSON. Will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Arkansas?

Mr. PITTMAN. I yield.

Mr. ROBINSON. The salaries of nearly all the employees affected by the bonus are fixed by law, are they not?

Mr. PITTMAN. Yes.

Mr. ROBINSON. This proposes an increase in the salaries. It is an increase in the salaries and is a change in existing law. It is general legislation by every precedent of the United States Senate, and, for my part, I do not propose to vote to override the Chair when I think he has decided according to the rules and precedents of the Senate, even to obtain legislation I am in favor of.

Mr. PITTMAN. Mr. President, the Senator is very vigorous in his statement, but he condemns his own position. He says this is a change in existing law. That is not accurate. This is a reenactment of existing law. I say that under existing law these men are being paid to-day exactly what this amendment provides they shall continue to receive.

Mr. ROBINSON. But their salaries are fixed by law, and you are compelled to change the legislation, beyond a doubt, and an appropriation bill does not constitute legislation in the sense of the rule.

Mr. PITTMAN. Their salaries are fixed by law, and this does not change the law which established this bonus system. It does not change it, and this is not general legislation at all. In fact, they are attempting, by this amendment, to change existing law, whereas the amendment of the Senator from Massachusetts [Mr. WALSH], presented on behalf of the Senator from New York [Mr. CALDER], maintains existing law. Is there anything against that?

If this were the first enactment of the bonus law, then the Senator from Arkansas would be right; but it is not. The amendment of the committee changes existing law. The amendment of the Senator from Massachusetts keeps the law just where it is to-day, on the statute books, and there is not any question but what the ruling of the Chair is wrong.

I want to say another thing, that this attempted settlement on the floor of the Senate is for the purpose of violating a majority vote of the Senate, and nothing else. A majority of Senators have voted for this amendment. The whip on the other side of the Chamber comes in and attempts to defeat the majority vote of the Senate by making a point of order, and he admits that his point of order goes to the whole section, just as well as to the amendment offered by the Senator from Massachusetts on behalf of the Senator from New York. Why does he do that? He does that for the purpose of intimidating those who have voted in favor of the amendment of the Senator from New York, offered by the Senator from Massachusetts, so that they will allow that amendment to be defeated rather than defeat the whole section. For one, rather than to stand for bulldozing tactics of that kind, I would let the whole amendment go down to defeat. I would not defeat one class of men through any such tactics as that, to save another class of men, although they were equally entitled to their reward. But that is exactly what you are trying to do. You are trying to force us to do injustice to one class of men by reason of the fear that we will not be doing justice to another class of men. If that policy of enacting legislation is to be pursued on the other side of the Chamber I will not be a party to it, and I do not believe the country will consent that that practice shall continue in this body for long.

If this proposition is defeated and the ruling of the Chair is sustained, then the bonus provision will be out, because the amendment of the Senator from Massachusetts will be offered again and again to any amendment on this subject that is offered, and a point of order will have to be made again, if the Senator has the nerve to make it.

Mr. CURTIS. The Senator has the nerve to make it.

Mr. PITTMAN. Then he will have the chance to make it.

Mr. HARRISON. Mr. President, I am of the opinion that if this point of order had been made at the proper time it should have been sustained. I am going to vote to overrule the ruling of the Chair on a different ground from that advanced by the Senator from Nevada [Mr. PITTMAN]. I think that after we have discussed a proposition for hours, and it is in line with what has been done by the Senate heretofore in discussing a proposition for days, and a vote is taken on the merits of the proposition, it is bad practice for a point of order to be interposed and then to be sustained. The time of the Senate should

be taken up in more important matters than that. If some one wants to interject a point of order to a provision on a general appropriation bill which changes existing law, he should make it in time. As I said, this provision has been discussed for hours, amendments to it have been offered, an amendment to it has been voted upon, and, after some one who is opposed to the amendment is defeated, he interposes a point of order.

Now, it seems to me that the practice of the Senate under the rules of the Senate should be that when there is a provision written into a general appropriation bill not authorized by law or changing existing law that the point of order should be made at the proper time if it is to be made at all, and the proper time is not after a discussion of the proposition upon its merits, and certainly not after the amendment has been offered and has been agreed to and carried into the provision.

Mr. LODGE and Mr. CURTIS rose.

Mr. ROBINSON. But the rules of the Senate provide that a point of order may be made at any time.

Mr. HARRISON. I am coming to just what the Senator from Massachusetts was going to ask also. I know that the ruling of the Chair heretofore, with possibly one exception, I think, has been that a point of order would lie against a provision that was not in order, even up until the very last second before it was agreed to. That is what I am opposing. It is a wrong rule. It is bad practice for the Senate of the United States to take up its time in the discussion of a proposition upon its merits, and then for a point of order to be interjected and to be sustained.

I am not the only one who holds that view. The Committee on Rules of the Senate, in the beginning of the present Congress, by a unanimous vote reported out a resolution amending the rules of the Senate, carrying out the idea I have expressed in these few brief remarks. The Senate has not adopted that resolution, but should do so.

I shall vote to override the decision of the Presiding Officer of the Senate for the reason that I want to see the rules of the Senate changed on the proposition. If a majority of the Senate feel about the matter as I do and that the rules should be changed, we can change them by a vote here now, and thereby establish a precedent, the same as we could change it by a modification of the rules. I shall follow that course of reasoning, and upon the appeal from the decision of the Chair I shall vote to override the decision.

Mr. POMERENE. Mr. President, when the question of the adoption of the amendment offered by the Senator from Massachusetts [Mr. WALSH] on behalf of the Senator from New York [Mr. CALDER] was voted upon, I withheld my vote for two reasons: First, because of a pair that I have with the senior Senator from Iowa [Mr. CUMMINS], and, secondly, because the statements of the facts which were the basis of the amendment were so confusing that I was not able to make up my mind as to exactly what really constituted the facts. However, after conferring with the junior Senator from Iowa [Mr. KENYON], I shall vote to sustain the decision of the Chair.

I agree with the Senator from Arkansas [Mr. ROBINSON] and the Senator from Massachusetts [Mr. LODGE] that the Chair was right, but I want to make an appeal to my friends on this side of the Chamber who have indicated that they are going to vote to overrule the Chair, and perhaps place the responsibility for the defeat of the entire bonus upon some one else. Let us pause and think for a moment. I have not any doubt in my mind that the employees generally deserve this bonus. I would regret exceedingly to have it defeated. If there are 10 men who deserve it, and 9 who will get it under this amendment, by what process of reasoning can anyone say that none of the 10 shall have it unless all get it? That is the point, it seems to me, which should control us in this exigency, in view of the right which each and every Senator has to raise the point of order at any time.

Mr. PITTMAN. Mr. President, I will answer that question. I think the principle involved in this manner of legislation is far more important than any bonus received by 9 out of 10 men. That is my answer to the question.

I think that if a parliamentary practice of this kind will be permitted in this body, that then the Senate is falling into a state of parliamentary anarchy which will be reflected very seriously during the next two years. The Senator from Kansas [Mr. CURTIS] knows that if his point of order is good now, it was good before the amendment of the Senator from Massachusetts was adopted by the Senate. If he is offering his point of order now for the purpose of preserving the orderly conduct of this body, he should have offered it when the amendment was first presented, at least before it was voted upon and adopted. If he is offering the point of order now, not for that purpose, but for the purpose of contravening the will of the majority of

this body, as expressed by their vote, then he is accomplishing a purpose, if sustained in the Senate, that will result in parliamentary anarchy in this body. It then comes within the power of one Senator on every such amendment that the Senate sees fit to consider, to dictate what part of that amendment shall be sustained, and what part of that amendment shall be defeated, without regard to the solemn vote of the Senate.

The Senate has adopted the amendment of the Senator from Massachusetts to the committee amendment. The Senator from Kansas very graciously consents to withdraw his point of order if the Senate will rescind its action.

I am not thinking, like the Senator from Ohio [Mr. POMERENE], of the little question of how many dollars one man is going to get in this particular case or another. But I say to him now that if, through this character of parliamentary procedure, I was able to get something for three of my friends by doing an injustice to one of my friends, I would not consider that I was acting as a Senator of the United States, and I would think that I was acting with a very peculiar political expediency.

Mr. POMERENE rose.

Mr. PITTMAN. One other thing before I yield to the Senator. Senators have been quick to accept the decision and opinion of some other Senators that the point of order should be sustained, and that the Chair is right, on the ground that it is general legislation. They have made no argument and no demonstration that it is general legislation. It is carrying out an existing act of Congress. It is not changing in any way whatever the salary of any of these officers, and it is not general in its character, because it is limited to a special class and to a period of time, and general legislation is not so described. This is for the period of one year and deals with certain classes of Government employees and therefore is not general legislation.

Mr. POMERENE. Mr. President, it is a sufficient reply to the Senator from Nevada to state that in so far as these employees are concerned who are affected by the committee amendment, the facts are conceded which are the basis of the relief granted to them. In so far as the amendment of the Senator from Massachusetts [Mr. WALSH] is concerned the facts are disputed. My friend, the Senator from Nevada, said in substance, "I will not allow these clerks or employees about whom the facts are not disputed to have any relief, because I have one view of the facts so far as they relate to another employee and some other Senators have a different view." That is the situation.

Mr. PITTMAN. May I ask the Senator a question?

Mr. POMERENE. Certainly.

Mr. PITTMAN. When a disputed fact is submitted to the Senate, a quorum being present, and the majority votes that one side or the other is right, is not that accepted as the decision of this body?

Mr. POMERENE. That is not accepted as the decision by either those who do not vote or those who voted on the opposite side.

Mr. PITTMAN. However, a majority of the Senate before the point of order was made decided in favor of the contention of those who said that the men included in the amendment of the Senator from Massachusetts were right and were entitled to the bonus.

Mr. POMERENE. But we do not accept that kind of snap judgment in a parliamentary body. We have the right to move to reconsider. We have the right to reserve a vote in the Senate.

Mr. PITTMAN. But the Senator did not move to reconsider.

Mr. POMERENE. No; I did not.

Mr. SMITH of Georgia. I should like to ask the Senator from Ohio whether it is conceded that there is a general statute fixing the compensation of these employees? I do not think there is any such general statute.

Mr. POMERENE. There is a general provision affecting the current year's expenditures.

Mr. WARREN. In an appropriation bill only.

Mr. SMITH of Georgia. That is not a general statute. It fixes the pay for a year.

Mr. SPENCER. Mr. President, I should like to call the attention of the Senate to one phase of the subject which occurs to me. There can not be any doubt about the fact that general legislation is dependent upon its effect, not upon its form. If the provision which is incorporated in the bill had continued, as appears from the opening sentence, to concern all civilian employees of the Government there might, in my judgment, be more of a question about its being general legislation than there is when the amendment is read from the beginning to the end. It begins with the words, "That all civilian employees of the Government," and so forth, and then proceeds to eliminate as it goes along whole classes of employees, such as those whose

compensation is determined by wage adjustment boards, those who are employed on the Panama Canal Zone, and those who are connected with the War Insurance Bureau, for whom the bonus is reduced one-half, so that, in the last analysis the amendment means nothing more than that, of a long list of Government employees, some of them are to have an added compensation of \$240 a year, some of them are not, and some of them are to have half of that amount. It does not apply uniformly or equally to the classes over which it intends to operate. That is the test of general legislation. The situation is analogous to that in connection with the action we have already taken in the bill when we selected one member of the governmental establishment, the Vice President, all of a single class, and increased his salary from \$12,000, to \$15,000 a year. Is that general legislation? When we came to pick out, as we did, in the case of the Library of Congress an individual and provided that a book cleaner should receive \$720 per annum, was that general legislation? It is not general legislation, because in the one case it is individual; in the other case it does not apply uniformly to all of the classes. The amendment does not apply to all the civilian employees of the Government with whom it purports to deal at the start, but it applies to only a part of them, and therefore is not general legislation.

Mr. HEFLIN. Will the Senator yield to me?

Mr. GORE. I call for the regular order.

Mr. HEFLIN. I want to ask the Senator a question.

Mr. GRONNA and Mr. WARREN. Regular order!

The PRESIDING OFFICER. The regular order is called for.

Mr. SMITH of Georgia. Debate is in order on an appeal from the decision of the Chair.

The PRESIDING OFFICER. The Chair decides that the question is debatable.

Mr. HEFLIN. Then I want to ask the Senator from Missouri a question.

Mr. SMITH of Georgia. I yield for that purpose.

Mr. HEFLIN. In view of what the Senator from Missouri has said, does he not think now that it is necessary for the Senate to override the ruling of the Chair in order to do what it seems to be apparent that nearly four-fifths of this body would like to do?

Mr. SPENCER. I do not arrive at the conclusion by the same highway, but the Chair has ruled that it is general legislation and therefore is not appropriate on an appropriation bill. My judgment is that it is not general legislation, and therefore that the decision of the Chair is mistaken.

Mr. HEFLIN. I think that the Senator is right about that.

Mr. SMITH of Georgia. Mr. President, I do not think any of these additions in the bill can be classed as general legislation unless there has been prior to this time a general law fixing the specific pay that a particular employee shall receive. If there were a general law fixing the pay at a certain sum—not simply providing an appropriation to pay it; not simply a provision in an appropriation bill—then we could not make the change in an appropriation bill; but as to employees with salaries of \$2,500 and less they have all been treated as having had their salaries fixed from year to year by appropriation bills.

This appropriation bill could by name increase the salary of each one of these positions by \$250 for the ensuing year. It would interfere with no existing law; it would change no existing law. There is no existing law fixing the compensation. The Appropriations Committee last year fixed the compensation for last year, and the year before they fixed the compensation for that year. This year the compensation of these employees is fixed for the ensuing year. So the amendment does not change existing law. The appropriation bill of last year did not carry on into the next year. Each year we fix the compensation of the ordinary employees receiving \$2,500 per annum and less as the committee sees fit. This is a report of the committee fixing the pay of a class of employees for the ensuing year. It changes no existing law.

Mr. LODGE. The rule in regard to changing existing law is not that of the Senate, but that of the House.

Mr. SMITH of Georgia. I understand that; but I say it is not general legislation unless it changes some existing law.

Mr. LODGE. Oh, yes; it is.

Mr. SMITH of Georgia. No; it is not. Does the Senator mean to tell me that an appropriation fixing a salary is general legislation?

Mr. LODGE. Unquestionably it is.

Mr. SMITH of Georgia. Unquestionably it is not. The salary is not fixed at all permanently. How are you going to fix it then?

Mr. LODGE. Salaries are all fixed by law.

Mr. SMITH of Georgia. They are not; though that is precisely—

Mr. LODGE. No; because by unanimous consent we change them here on appropriation bills.

Mr. SMITH of Georgia. But the salaries of the bulk of these places are not generally fixed by law; they are contained in no specific law.

Mr. ROBINSON. Will the Senator from Georgia yield to me?

Mr. SMITH of Georgia. I yield.

Mr. ROBINSON. There is existing law defining the number of employees of all the departments, fixing their classification, and providing the base pay for all the various classes.

The Senator from Missouri [Mr. SPENCER] stated a correct principle of law, but his principle is not applicable to this case. A provision is general legislation if it deals exactly the same with all in a defined class. The amendment of the committee divides the employees into certain classes and excludes some of the classes from the benefits of the bonus; but it comprehends all of them within a given class when it provides the benefits of the bonus.

Mr. SMITH of Georgia. I did not yield to the Senator for a speech.

Mr. ROBINSON. I will finish in just a moment.

The Senator from Georgia has made a declaration that is entirely incorrect as a matter of fact. Practically all the salaries of the higher employees of the Government are fixed by statute.

Mr. SMITH of Georgia. Where is the statute?

Mr. ROBINSON. In the Statutes at Large of the United States. The Senator from Utah is present, and he will confirm my statement, and every other Senator who is on the Appropriations Committee and has investigated the matter will confirm the declaration that practically all Government employees have their salaries fixed by law.

Mr. WARREN. Yes.

Mr. LODGE. That is correct.

Mr. ROBINSON. Whenever in an appropriation bill a measure is proposed changing their salaries without authority of law previously passed, it is, within the meaning of the Senate rule, general legislation on an appropriation bill, according to every precedent of the United States Senate, both by decision of the Chair himself and by the decision of the Senate itself.

I am in sympathy with the amendment of the Senator from Mississippi; I did not vote for it because I was paired with the Senator from Michigan; but I do not propose, as the Senator from Mississippi proposes, to vote to overrule the Chair because the rule of the Senate has not been changed as I think it ought to be changed. That is exactly what my friend, the Senator from Mississippi, said he was going to do. He said that the Committee on Rules of the Senate had brought in a resolution providing for a change of the rules, to modify the rule so as to suit his pleasure, but since the majority of the Senate had not seen fit to adopt that report of the Committee on Rules he was going to force that change in the Senate rules by overruling a correct decision of the Chair according to the rules as they now exist. I can not do that.

Mr. WARREN. Mr. President, I rose to a point of order. I wish to quote Rule XX, which reads:

1. A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer.

Mr. SMITH of Georgia. Mr. President, that is true; all subsequent points of order are decided without debate, but the first appeal from the decision of the Chair is subject to debate.

Mr. WARREN. It is not.

Mr. SMITH of Georgia. It is; and the Senate has always allowed it.

Mr. WARREN. It does not make any difference what the Senate has allowed—

Mr. SMITH of Georgia. The rule allows it.

Mr. WARREN. Here is the rule, and I have read it.

Mr. SMITH of Georgia. The rule the Senator has read does not prevent it.

Mr. WARREN. That is all right; perhaps I do not understand the English language.

Mr. SMITH of Georgia. I do not believe the Senator does if he thinks the rule provides as he has indicated.

Mr. WARREN. The Senator from Georgia has had time to use up pretty well the English language to-day, and he may be somewhat at fault himself.

Mr. SMITH of Georgia. That is possible, but the Senator from Wyoming certainly is at fault and in error.

Mr. WARREN. Mr. President, if it is in order, I move to lay the appeal on the table.

Mr. SMITH of Georgia. The Senator is not in order; I have the floor, and I do not yield to him for that purpose.

Mr. WARREN. That is very courteous; I thank the Senator for his courtesy.

Mr. SMITH of Georgia. The Senator from Wyoming need not thank me for the courtesy, for he undertook to lay me on the table when I had the floor. [Laughter.]

Mr. President, I agree with the view that where a general statute, outside of appropriation bills, absolutely fixes the specific salary to be paid to a particular employee, when we undertake on an appropriation bill to change that salary that is general legislation—

Mr. LODGE. That is exactly what is proposed to do here.

Mr. SMITH of Georgia. For we are repealing a general law. As to the great majority of these places, I do not believe there is any statute fixing the compensation.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. The Senator from Arkansas [Mr. ROBINSON] is absolutely right. The statute fixes the salary of the various clerks. It divides them into four classes. The clerk of class 4 receives \$1,800; the clerk of class 3, \$1,600; a clerk of class 2, \$1,400; and a clerk of class 1, \$1,200. Whenever an appropriation goes outside of the amount thus provided for any of those clerks it is a change of the existing law. Then, under existing statutes, a laborer receives so much, a messenger so much, an assistant messenger so much, and charwomen so much. The statute provides just what they shall receive; and unless there is some special provision in some other law they are paid the rate provided by the general statute.

Mr. SMITH of Georgia. Where there is a general statute outside of an appropriation fixing pay of employees, I am obliged to concede that we can not change that pay on an appropriation bill.

Mr. SMOOT. This is just exactly what it does: In the case of the clerk of the fourth class, who the statute says shall have \$1,800, this amendment says he shall have \$2,040, and that is changing existing law. That is exactly what this provision says; and it says that the clerk of the first class, instead of receiving \$1,200, as the statute provides, shall receive \$1,440.

Mr. SMITH of Georgia. I was not in the Chamber when the point of order was passed upon by the Chair. What is the exact amendment upon which the point of order is made?

Mr. SMOOT. It is the amendment adding a bonus of \$240 per year to the salary of every employee of the Government, with the exceptions named here. Some of them receive \$120; some of them receive \$240; and some of them that are paid from lump-sum appropriations do not receive anything.

Mr. SMITH of Georgia. I understand the matter, then.

Mr. SMOOT. Therefore, it is a broad provision, affecting every salary fixed by statute. There is not a salary fixed by statute but that is affected by this provision.

Mr. SMITH of Georgia. I am obliged to concede that where a general law has fixed the compensation, changing that compensation in an appropriation bill is changing general legislation, and is, therefore, itself general legislation.

Mr. JONES of New Mexico. Mr. President, I should like to inquire what is the general statute covering this matter, and where can it be found?

Mr. SMOOT. I have not it here, but I assure the Senator that what I have said is correct. The United States statute provides for four classes of clerks—clerks of the first, second, third, and fourth classes. It provides for the salaries of each of those classes; and if the Senator will look at the bill he will see that frequently there are, say, 100 employees of class 4, 10 employees of class 3, and so forth, and there are no figures given, because the law fixes the salaries. As I said, the fourth-class clerk gets \$1,800, the third-class clerk gets \$1,600, the second-class clerk gets \$1,400, and the first-class clerk gets \$1,200. Then, the salaries of the laborers are fixed, and the salaries of the skilled laborers and the charwomen and the messengers and the assistant messengers and all of the different employees of the Government.

Mr. SMITH of Georgia. I believe intensely in this bonus for the coming year—

Mr. SMOOT. So do I.

Mr. SMITH of Georgia. And I do hope there will be no objection to it.

Mr. HEFLIN. Mr. President, if the Senator will permit me, in the general law referred to by the Senator, where are these figures of \$1,800 and \$1,600 that he has mentioned?

Mr. SMOOT. They are in the statutes.

Mr. HEFLIN. In the United States statutes?

Mr. SMOOT. In the United States statutes.

Mr. HEFLIN. Now, referring to the bonus that we are undertaking to legislate on this afternoon, are those figures in the United States statutes?

Mr. SMOOT. They are not.

Mr. HEFLIN. They are carried in this bill?

Mr. SMOOT. They are carried each year.

Mr. HEFLIN. And therefore they are not general laws.

Mr. SMOOT. Why, they change the statute.

Mr. HEFLIN. These provisions expire on the 1st of July of themselves. They were put in to do a specific thing, and unless we legislate they die.

Mr. SMOOT. Of course they die; but this amendment tries to revive them. It changes existing law. It changes the rates of pay as provided by statute. If it goes out, then all of these employees will receive what the statute provides. If it remains in they not only get all that the statute provides but they get \$240 more.

Mr. HEFLIN. It seems to me the only sure thing to do to get the bonus in, then, is to override the ruling of the Chair.

Mr. THOMAS. Mr. President, for the purpose of bringing this subject to a vote, I move to lay on the table the appeal from the ruling of the Chair.

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado.

Mr. PITTMAN. On that I demand the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and vote "yea."

Mr. POMERENE (when his name was called). Again announcing my pair with the senior Senator from Iowa [Mr. CUMMINS], I am advised that he would vote the same way that I intend to vote, and I therefore vote "yea."

Mr. ROBINSON (when his name was called). On this question I am paired with the Senator from Michigan [Mr. TOWNSEND], and withhold my vote.

Mr. SIMMONS (when his name was called). I have a general pair with the Senator from Minnesota [Mr. KELLOGG], who is absent. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "nay."

The roll call was concluded.

Mr. HARRISON (after having voted in the negative). I am paired with the Senator from Wisconsin [Mr. LENROOT]. I transfer that pair to the Senator from Arizona [Mr. ASHURST] and will let my vote stand.

I desire also to announce that my colleague, the senior Senator from Mississippi [Mr. WILLIAMS], has a general pair with the senior Senator from Pennsylvania [Mr. PENROSE].

Mr. MCKELLAR. I have a pair with the junior Senator from Ohio [Mr. WILLIS]. I transfer that pair to the senior Senator from North Carolina [Mr. OVERMAN] and vote "nay."

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut and, being unable to obtain a transfer, I withhold my vote.

Mr. DILLINGHAM. I transfer my general pair with the senior Senator from Maryland [Mr. SMITH], who is necessarily absent, to the junior Senator from Oregon [Mr. McNARY] and will vote. I vote "yea."

Mr. HARRIS (after having voted in the negative). I have a pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will let my vote stand.

Mr. POMERENE. I desire to announce the unavoidable absence of my colleague [Mr. WILLIS]. I should have made this announcement this morning, but I was detained.

Mr. KNOX. Repeating my announcement on the previous roll call, I vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Maine [Mr. HALE] with the Senator from California [Mr. PHELAN];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT];

The Senator from Illinois [Mr. McCORMICK] with the Senator from Nevada [Mr. HENDERSON]; and

The Senator from Vermont [Mr. PAGE] with the Senator from Tennessee [Mr. SHIELDS].

The result was announced—yeas 29, nays 25, as follows:

YEAS—29.

Ball	Jones, Wash.	Moses	Sterling
Borah	Kenyon	Nelson	Sutherland
Colt	Keyes	New	Thomas
Curtis	King	Phipps	Wadsworth
Dillingham	Kirby	Polindexter	Warren
Fernald	Knox	Pomerene	
Gore	Lodge	Smith, Ariz.	
Gronna	McCumber	Smoot	

NAYS—25.

Beckham	Harrison	Reed	Swanson
Capper	Heflin	Sheppard	Trammell
Dial	Jones, N. Mex.	Simmons	Underwood
Fletcher	La Follette	Smith, Ga.	Walsh, Mass.
Gay	McKellar	Smith, S. C.	
Gerry	Pittman	Spencer	
Harris	Ransdell	Stanley	

NOT VOTING—42.

Ashurst	Glass	McLean	Sherman
Brandegee	Gooding	McNary	Shields
Calder	Hale	Myers	Smith, Md.
Chamberlain	Henderson	Newberry	Townsend
Culbertson	Hitchcock	Norris	Walsh, Mont.
Cummins	Johnson, Calif.	Overman	Watson
Edge	Johnson, S. Dak.	Owen	Williams
Elkins	Kellogg	Page	Willis
Fall	Kendrick	Penrose	Wolcott
France	Lenroot	Phelan	
Frelinghuysen	McCormick	Robinson	

So the appeal from the ruling of the Chair was laid on the table.

Mr. WALSH of Massachusetts. Mr. President, to relieve the Senate of this embarrassment, and to save time I am going to make a suggestion to the Senator from Kansas, and I am merely going to put before him the situation that arose here to-day.

A motion was made to extend the bonus provisions of this bill to a class of Government employees who enjoyed it last year, and who would not enjoy it under the committee bill. That matter was debated for several hours; a vote was taken by the Senate, and a majority voted to give that special class the benefit of the bonus. I made that motion on behalf of the Senator from New York [Mr. CALDER]. What would the Senate think of me if, after being defeated, if I was defeated, I stood on this floor and objected to the whole bonus provisions on a point of order? Yet the same sentiments that Senators might very well entertain toward me ought to be entertained toward anybody who would, after voting the other way and being defeated, object to the whole bonus provisions by a point of order. That may be good statesmanship, but it is not good sportsmanship; it is government by a minority of one against an emphatic majority. I am sure that the Senator from Kansas—for whom we all have the highest regard and respect, and who is a very valuable Member of this body—did it through overzeal, and through the enthusiasm of protecting what he thought was the exact desire of this committee. It amounts to saying unless this committee has its way, then we will not agree to any bonus; we will punish all Government employees because the Senate changes our program. Now, we can relieve ourselves of this situation by the Senator from Kansas withdrawing his objection, accepting the majority decision, and letting the bonus program go through exactly as it did last year.

Mr. CURTIS. Mr. President, the bonus proposition was a mistake in the beginning. When it was proposed I was the one Senator in the conference who stated that it would be a mistake to adopt it. But it was adopted, and the result has been as I predicted. We gave certain employees a bonus of \$120. I said that they would come the next year and ask for \$240, and they did. The next year they came and asked that it be doubled.

I thought it was a mistake for the committee to put in the bonus this year. I still think so. We ought to fix the salaries we are going to pay the men and women of the country in the annual appropriation bills.

I was tempted to make the point of order in the first place, but I deferred to the committee, because I am a member of the committee. I stated in the committee that never again would I vote for a bonus in an appropriation bill, and I never shall do so. The next time there is an attempt made to give a bonus to the clerks I shall make a point of order against it. We must fix the salaries, and if we can not do it in any other way, if the reclassification bill is not brought in, then the Appropriations Committee ought to take each bill and go over every item and fix the salaries and report the bill in that form and let the Senate pass upon the amendments.

Mr. WARREN. They will do it.

Mr. CURTIS. The chairman says they will do it. I hope they will. I shall follow that course with any bill I have in charge, if the reclassification bill is not brought in.

Your Committee on Appropriations studied this item, had hearings, and concluded that justice was done these people by the amendment reported, and I am going to stand by the report of the committee. If it embarrasses the chairman of the committee or any other member of the subcommittee to make a point of order, it does not embarrass me. I made the point of order knowing what I was doing. I was not excited, and I am not excited now, and I shall renew the point of order if there is an attempt to extend the provisions of the committee amendment.

Mr. UNDERWOOD. Mr. President, I do not contend for a moment that legislating in bulk is a highly intelligent way to effect results. But during the stress of war, in order to relieve the situation of honest, hard-working, patriotic clerks, whose families were really in distress because of the increased cost of living, and because the Committee on Appropriations of the Senate, by reason of the tremendous amount of work that they were involved in making appropriations for war purposes, were unable to work out the problems for each individual clerk in the Government service and fairly adjust his salary to meet conditions which then existed, they were driven under the exigencies of war to adopt the so-called bonus.

I am not criticizing the committee. I know that since the war it has been hard driven, and has had but little opportunity to work out this problem along lines which would fairly reflect a just and righteous verdict for these people, many of whom have given their lives, from the time of their boyhood to their old age, to serve their Government, and have had to raise their families on meager salaries.

I do not believe in wholesale legislation. A report of a committee has been before the Congress to make a proper increase in the salaries of Government employees. I do not believe in extravagance. I believe the time has come for economy. But I do not believe the Congress is justified in working out a program of economy at the expense of the breakfast tables and school bills of needy Government employees, and I say now that this bonus was put in the bill because there is not a man in the Senate who will rise in his place and deny that the cost of living in this country has far exceeded the wage scale as fixed by the Government before the war, under which these people are paid.

The House of Representatives, by the action of one individual Member, drove this bonus provision from the bill. A majority of that body, in my opinion, beyond doubt would have protected the rights of these employees if they had had an opportunity to vote on the proposition. And now, forsooth, because the Committee on Appropriations can not lay down the law in the Senate, crossing every "t" and dotting every "i," as to how the bonus shall become a law, we must drive it all out of the bill and let one man's objection send an empty dinner pail to the families of the Government employees.

For one, I wish to give notice that this bill will not pass, if I can help it, until the Senate has had a fair and just opportunity to vote on the merits of this proposition, and I wish to give notice now that I shall move to suspend the rules and adopt the amendment as the committee has reported it, and then the Senator from Massachusetts [Mr. WALSH] will have an opportunity to propose his amendment, if the rules are suspended. I have not the form here, but the clerk has it at the desk.

Mr. McKELLAR. That will have to be put in writing.

Mr. LODGE. I have a notice all prepared, if the Senator would like to present it.

Mr. UNDERWOOD. If the Senator from Massachusetts desires to give the notice, I shall be very glad to yield to him for that purpose. If this side of the Chamber will sustain me the pending bill will not pass the Senate until we have had a square and fair opportunity to vote for a suspension of the rules, so that the Senate, and not an individual Member, may determine whether this clause shall remain in the bill or not.

The PRESIDING OFFICER. The Secretary will read the notice given by the Senator from Massachusetts.

The ASSISTANT SECRETARY. The Senator from Massachusetts gives the following notice:

I hereby give notice that, in accordance with the provisions of Rule XL, I will move to suspend paragraph 3 of Rule XVI for the purpose of offering the following amendment to House bill 15543:

"Sec. 6. That all civilian employees of the Government of the United States and the District of Columbia who receive a total of compensation at the rate of \$2,500 per annum or less, except as otherwise provided in this section, shall receive during the fiscal year ending June 30, 1922, additional compensation at the rate of \$240 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than \$2,500 and less than \$2,740 shall receive additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate

of \$2,740 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 60 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rate of \$240 per annum for the fiscal year ending June 30, 1921, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1920, has received during the fiscal year 1921, or shall receive during the fiscal year 1922, an increase of salary at a rate in excess of \$200 per annum, or where an employee, whether previously in the service or not, has entered the service since June 30, 1920, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation.

"The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees whose pay is adjustable from time to time through wage boards or similar authority to accord with the commercial rates paid locally for the same class of service; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or establishments created by law since January 1, 1916, except employees of the United States Tariff Commission, who shall be included, and except that employees of the Bureau of War Risk Insurance shall receive increased compensation at one-half the rate allowed by this section for other employees: *Provided*, That employees of the said Bureau of War Risk Insurance who are compensated at rates below \$400 per annum shall receive additional compensation only at the rate of 60 per cent of the annual rates of compensation received by such employees. The provisions of this section shall not apply to employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads, express companies, telegraph, telephone, marine cable, or radio system or systems taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads, express companies, telegraph, telephone, marine cable, or radio system or systems as employees of the United States.

"Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

"Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation, shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to \$2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

"So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

"So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, 40 per cent out of any money in the Treasury not otherwise appropriated and 60 per cent out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department, and to employees of the Minimum Wage Board and the playgrounds department, which shall be paid wholly out of the revenue of the District of Columbia.

"So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United States or of the District of Columbia is authorized to be paid, respectively, from such trust funds.

"Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of \$240 per annum and the average number by grades receiving the same at each other rate."

Mr. UNDERWOOD. Mr. President, in order to prevent delay, because I do not desire to delay the Senator from Wyoming in having the bill passed, knowing that this notice will have to go over until Monday, and it may be Tuesday or Wednesday—

Mr. THOMAS. It will have to go over until Monday under the rule.

Mr. UNDERWOOD. Monday something else will be before the Senate.

Mr. LODGE. The rule says it shall go over for one day. I take it that that means a calendar day.

Mr. UNDERWOOD. But the tariff bill will be up on Monday, and if this bill is not passed to-night it will not be passed before Thursday. I would like to see the Senator from Wyoming have a chance to get the bill passed. So I ask unanimous consent that the motion to suspend the rules may be considered at this time.

The PRESIDING OFFICER. Is there objection?

Mr. PITTMAN. Does the unanimous consent also carry with it the right of the Senator from Massachusetts to offer his amendment?

The PRESIDING OFFICER. The Chair so understands.

Mr. UNDERWOOD. Undoubtedly if the Senate puts in the original bonus, then any amendment that is germane to it will be in order.

Mr. PITTMAN. If that is the agreement, it is all right.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Alabama?

Mr. CURTIS. I object. I think it had better go over until Monday.

Mr. ROBINSON. Mr. President, I announced earlier in the day that I would be compelled to leave the city for a day or two. I have an amendment or two, not committee amendments, which can be disposed of very promptly, and I would like to offer them now and have them passed upon.

Mr. WARREN. Does the Senator object to my offering two or three amendments from the committee first?

Mr. ROBINSON. No; I do not.

Mr. WARREN. Mr. President, I offer the amendment which I send to the desk.

Mr. McCUMBER. Mr. President, in order that the emergency tariff bill may not lose its place, in accordance with the agreement, and as there is a desire to adjourn from to-day until Monday, instead of taking a recess, I ask that the unfinished business may be laid before the Senate.

Mr. HARRISON. May I ask the Senator in this connection, if it is the intention of the Senator and the other side of the Chamber to take up the emergency tariff bill on Monday?

Mr. McCUMBER. It is, so as to finish it, if possible, on Tuesday.

Mr. HARRISON. The legislative appropriation bill, that has not been finished, will go over until after the tariff bill has been considered?

Mr. McCUMBER. Yes; that is my understanding.

Mr. WARREN. Will the Senator from North Dakota withhold his request until I have an opportunity to offer two or three amendments and endeavor to have them agreed to?

Mr. McCUMBER. Very well; I withhold my request for the present.

Mr. WARREN. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The proposed amendment will be stated.

The ASSISTANT SECRETARY. On page 33, after line 16, insert:

New York passport bureau: Passport agent, \$2,000; clerks—1 of class 4, 2 of class 3, 2 of class 2; messenger—messenger boy, \$480; rent of office, \$2,500; stationery, furniture, fixtures, and other miscellaneous expenses, \$2,000; in all, \$15,620.

The amendment was agreed to.

Mr. WARREN. I also offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 29, in line 8, under the heading Civil Service Commission, after the numerals "\$2,500," insert:

Provided, That the secretary of the Civil Service Commission shall be deemed an employee for the purposes of this act.

The amendment was agreed to.

Mr. WARREN. I wish to offer one more amendment. It relates to the change of a paragraph to a different place in the bill.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. Transpose the amendment agreed to on page 41 of the bill, lines 18 to 20, inclusive, so that it will follow line 24 on page 41 of the bill.

The amendment was agreed to.

Mr. ROBINSON. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The ASSISTANT SECRETARY. On page 147, after line 23, insert:

Division of Information: Chief, \$3,500; assistant chief, \$2,500; clerks—2 of class 4, 1 of class 3, 1 of class 2, 3 of class 1, 1 \$900 messenger; in all \$19,340.

The amendment was agreed to.

Mr. ROBINSON. I ask permission to have printed in the Record a memorandum regarding the amendment just agreed to.

The PRESIDING OFFICER. Without objection, leave is granted.

The memorandum referred to is as follows:

The Division of Information was provided for in section 46 of the immigration act of February 20, 1907.

It became operative on the 1st of July, 1907, and has continued to function ever since.

The first appropriation bill passed after the establishment of the division appropriated \$19,340 for its maintenance in the District of Columbia. That appropriation has never been increased. The division

has never asked for an increased appropriation for the payment of salaries.

In my last report to the Commissioner General I recommended that \$100,000 be asked for to expend in translating, printing, and distributing information as provided for in the statute, but my request was not considered in the estimates.

When the Division of Information was established an agreement was entered into with the Bureau of Immigration to the effect that the services of clerks would be interchangeable. When business would be pressing in one and slack in the other, clerks would lend their services where the need for them was most urgent.

The Chief of the Division of Information was never called before the Committee on Appropriations. I presume that this was because no addition to the appropriation for the division was asked for.

Had the chief of the division been present at the hearing, he could have refuted the statement that the division did not function at all during the war.

Not only did the division function during the war but it became the nucleus, by direction of the Department of Labor, of the United States Employment Service, and rendered efficient aid in that capacity. I, in addition to being chief of the division, became for the time being the acting director of employment and continued in that capacity until the division was restored to the Bureau of Immigration by order of the Secretary of Labor.

The Division of Information has never for a day ceased to function as a division except as heretofore stated.

It has faithfully complied with the terms of the statute creating it. It is now prepared to do more efficient service than before.

It was during the war, when immigration had dropped to its lowest level, that the activities of the division were diverted to other channels. With increased immigration the need for it is more pressing than ever.

The work of the Division of Information in no way duplicates that of any other arm of the Government service. It was created for the purpose of informing admitted aliens on everything necessary to their welfare in order that they might more rapidly and satisfactorily fit into our American life. While the Division of Information formed the nucleus out of which the United States Employment Service originally grew, it now bears no relationship to that service and in no way duplicates its work.

The division is now cooperating with the officials of all the States and Territories in preparing the information required by law to be presented to applicants.

Reciprocal relations with boards of trade, industrial organizations, and chambers of commerce are being formed with a view to diverting the stream of immigration to the land as the place to earn bread.

Regardless of the feelings, interests, wishes, or welfare of the chief of the division, that organization, a statutory arm of the Government, should not be summarily abolished by refusal to appropriate for it, and I ask the Committee on Appropriations to reinsert the item providing for its maintenance in the appropriation bill.

Mr. JONES of Washington. Following the amendment just agreed to with reference to the passport bureau at New York, I desire, in behalf of the Senator from California [Mr. Johnson], to offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. Following the amendment agreed to on page 33, after line 16, the Senator from Washington, on behalf of the Senator from California, moves to insert:

San Francisco, Calif.; passport bureau: For salaries and expenses of maintenance of the passport bureau, \$7,500.

Mr. KING. Mr. President, I wish to inquire as to the necessity for a passport bureau in New York. Is there not ample provision now for passports?

Mr. WARREN. The appropriation for the passport bureau in New York had been refused, but after looking the matter up thoroughly, it was thought that the item had better go in. In San Francisco we had an office open during the last year or two, and I understand the amendment just offered is to reinstate it, but I did not catch the amount proposed to be appropriated.

The PRESIDING OFFICER. Seven thousand five hundred dollars.

Mr. WARREN. I will state that that is the amount that office had provided for it last year.

Mr. KING. I wish to ask the Senator a further question for information. We have passport officers here in the District of Columbia; there is a large force in the State Department. Has it been deemed necessary to have passport divisions in the various ports?

Mr. WARREN. It is a long way from San Francisco to New York, and there is a great deal of this business to do. It accommodates the traveling public. They take in the same amount of money, of course, and perhaps more, because of this convenience. It is only a matter of small expense. We reduced the item some thirty-odd thousand dollars—

Mr. LODGE. It was \$44,000 last year at New York.

Mr. KING. I can appreciate the necessity for this service if adequate provisions are not made in Washington.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Washington in behalf of the Senator from California.

The amendment was agreed to.

Mr. JONES of Washington. I desire to offer another amendment following the one just agreed to.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. Following the amendment just agreed to, insert the following:

Seattle, Wash., passport bureau: For salaries and expenses of maintenance of passport bureau, \$7,500.

Mr. WARREN. I have no objection; the amendment can go in so far as I am concerned.

The amendment was agreed to.

Mr. POMERENE. Mr. President, I offer the following amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated. The ASSISTANT SECRETARY. On page 10, line 5, strike out "\$3,304,500," in the item for "compensation of Members of the House of Representatives," etc., and insert, "\$3,307,500, of which amount \$15,000 shall be for the compensation of the Speaker."

Mr. WARREN. That is for the Speaker alone?

Mr. POMERENE. It simply increases the total amount \$3,000 to cover the increased compensation to the Speaker.

The amendment was agreed to.

Mr. NELSON. Mr. President, I offer the following amendment. In line 4, page 154, under the subtitle "Court of Claims" I move to strike out "\$3,500" and insert "\$4,000." This is to increase the salary of the clerk of the Court of Claims from \$3,500 to \$4,000. All the clerks of the circuit courts get \$4,500, and most of the clerks of the district courts get from \$4,000 to \$5,000. Owing to the war claims the business of the Court of Claims has increased so much that the clerk is fairly entitled to this increase. Instead of \$4,000 he ought to have \$4,500, but I am asking for an increase of only \$500.

Mr. WARREN. Let the item go in the bill and it will be looked into in conference.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 154, line 4, strike out "\$3,500" and in lieu insert "\$4,000," under the subheading "Court of Claims," so as to read:

Chief clerk, \$4,000.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The ASSISTANT SECRETARY. On page 45, line 5, at the end of the items for the Bureau of War Risk Insurance, after the word "insurance," add the following additional proviso:

Provided further, That nothing herein contained shall be construed to prohibit the bureau from soliciting by letters and advertising the reinstatement of lapsed insurance.

Mr. SMOOT. There is no need of the amendment, but if the Senator desires to have it, let it go in.

The amendment was agreed to.

Mr. HARRISON. Mr. President, is it the understanding that the emergency tariff bill is to be taken up on Monday and that the legislative appropriation bill will be laid aside at that time?

Mr. WARREN. That depends entirely upon those in charge of the unfinished business, of course.

Mr. McCUMBER. I will say to the Senator that that is the intention.

Mr. HARRISON. Do I understand that the Senator from Wyoming expects to bring up the legislative appropriation bill at all on Monday?

Mr. WARREN. During the morning hour, after routine morning business, if the opportunity presents itself.

Mr. MOSES. Mr. President, a parliamentary inquiry.

Mr. HEFLIN. Mr. President, before the bill is temporarily laid aside I desire to offer an amendment.

Mr. MOSES. I inquire what is the present status of the legislative appropriation bill.

The PRESIDING OFFICER. There are two amendments at the desk, one of which is pending.

Mr. MOSES. Have the committee amendments been disposed of?

The PRESIDING OFFICER. They have not.

EMERGENCY TARIFF.

Mr. McCUMBER. Mr. President, I renew my request that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. McCUMBER. I move that the Senate adjourn until Monday at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, February 14, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, February 12, 1921.

The House met at 11 o'clock a. m.

The Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

O Lord our Lord, Thou art always going with us. We thank Thee. Equip us this day with the best manhood. Rebuke us not with indignation but reprove us with tenderness. Stay with us not with indignation but reprove us with tenderness. Stay with us while we tarry at the altar of our country and renew our vows and our pledges of patriotic devotion. Bless Thou our native land for a great good and with a mighty destiny. Grant that the ideals, the labors of Abraham Lincoln, the preserver of our country, may live. May they live in the sweet ministries of our fireside; may they live in the glowing intensity of our national spirit; may they live in a broader fraternity; oh, may they live until all sectionalism fades away and all prejudice die out of the human breast and they become the inspiration of mankind. Through Jesus Christ our Lord. Amen.

THE JOURNAL.

The Journal of the proceedings of yesterday was read.

Mr. BLANTON. Mr. Speaker, I desire to correct the Journal. The Journal states that a point of order being made on Senate amendment 143 as being a violation of clause 2 of Rule XX the Speaker overruled that point of order. The Speaker did not overrule that point of order. The Speaker merely ruled that the bill was not before the House for consideration, and then was not the proper time to make the point of order.

The SPEAKER. The Speaker overruled the point of order.

Mr. BLANTON. The Speaker did not hold that Senate amendment 143 was not in violation of clause 2 of Rule XX.

The SPEAKER. No.

Mr. BLANTON. That was the point of order.

The SPEAKER. No; however, the Chair will not discuss it.

Mr. BLANTON. I did not want the ruling to go in the Journal that Senate amendment 143 was not in violation of clause 2 of Rule XX because it is in violation of it.

The SPEAKER. The Chair thinks the Journal is correct.

The Journal of the proceedings of yesterday was approved.

INDIAN APPROPRIATION BILL.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 15682, the Indian appropriation bill, disagree to the Senate amendments and agree to the conference asked for by the Senate.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15682) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with the various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1922.

The SPEAKER. Is there objection?

Mr. CARTER. Mr. Speaker, reserving the right to object, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CARTER. The parliamentary question I desire to bring to the attention of the Chair has, I think, been decided once, but I would like to have another pronouncement from the Chair. The gentleman from California [Mr. ELSTON] asks unanimous consent to send the Indian appropriation bill with Senate amendments to conference. In case this request is refused the bill, under the rules, must go to the committee having appropriate jurisdiction. Everyone who has examined the Senate copy of this bill will agree that it is laden with Senate amendments in violation of the rules of this House, all unauthorized by any semblance of law, and many of them legislative provisions of most sweeping character, many of which have never had consideration by the House, while some have not even as yet had consideration of any House committee. Now, what I desire to ascertain by this parliamentary inquiry is this: If unanimous consent is refused, the bill must go to some committee. What committee reference would be made of this bill, containing appropriations, it is true, but the majority of Senate amendments have no authorization by law, and many of them are legislative items which do not even carry appropriations at all.

The SPEAKER. It would go to the Committee on Appropriations.

Mr. CARTER. That is what I assumed would be the procedure, for that was what was said with reference to the District of Columbia bill, and under the circumstances no criti-

clism, of course, can be brought against the Chair for this decision. But, Mr. Speaker, we have been assured time and again on this floor that this new rule concentrating appropriations preserves legislative jurisdiction to all of the many legislative committees. Now, let us see whether it does or not. Here we have a bill which was sent to the Senate stripped of practically all items obnoxious to the House rules, with every legislative provision eliminated. Now, we have that bill returned to the House with 130 Senate amendments, 90 per cent of which, perhaps, are unauthorized by any basic law, and with many wholesale legislative provisions.

Mr. MONDELL. Will the gentleman yield?

Mr. CARTER. Just as soon as I have finished this statement I will be glad to yield to the gentleman. What predicament do we find ourselves in with reference to procedure? Why, under this rule and decision, the bill with all these many legislative items is sent not to the committee having jurisdiction of such legislative items, but must be referred to the Committee on Appropriations. I now yield to the gentleman from Wyoming.

Mr. MONDELL. The gentleman realizes that as to the major portion of these provisions and legislation to which he refers no conference committee of the House is liable to agree?

Mr. CARTER. Oh, Mr. Speaker, I am not speaking of procedure on the bill in conference, for it takes unanimous consent to send the bill to conference. I am speaking of the regular order and as to what would happen in case unanimous consent were refused and the bill referred to the appropriate committee.

No part of the bill except the Senate amendments would then be the subject of committee consideration and 80 or 90 per cent of the subject matter of those amendments is legislative, many of them containing no appropriation at all. So we find this rule not only permits, but compels another invasion of the rights of legislative committees, which I am sure was not understood or even faintly contemplated by a great many Members of the House when they voted to centralize this jurisdiction over appropriations in one committee. The rule provides that certain committees shall have jurisdiction over certain legislative matters, and yet we find when these identical legislative matters are placed as Senate amendments in an appropriation bill and returned to the House that the bill is referred not to the committee having jurisdiction of those legislative items but to the Committee on Appropriations.

This, in my opinion, is but a mild intimation of the encroachments that may be expected, as this rule develops upon the prerogatives of all legislative committees until the Committee on Agriculture, the Committee on Naval Affairs, the Committee on Military Affairs, the Post Office Committee, the Committee on Indian Affairs, and all other committees which formerly had appropriation jurisdiction will gradually be cut off from legislative powers until they are reduced down to about a level of importance with our former committee on acoustics and ventilation.

Mr. GARNER. Reserving the right to object, may I ask the gentleman from California if Mr. HASTINGS has been consulted with reference to referring this bill to conference?

Mr. ELSTON. He has. I talked with him yesterday and he agreed to it, and I consulted with the gentleman from Oklahoma [Mr. CARTER] as well, and also with the gentleman from New York [Mr. SNYDER].

Mr. MCCLINTIC. Mr. Speaker, I think we ought to have a quorum present, and I make the point of no quorum.

Mr. GARRETT. Mr. Speaker—

Mr. MCCLINTIC. I withhold it for the present.

Mr. GARRETT. Mr. Speaker, I wanted to say this about the inquiry made by the gentleman from Texas [Mr. BLANTON] a moment ago. I suppose that technically it is correct that the Journal shows that the point of order was overruled. At the same time that might be misleading, unless it were definitely understood.

Now, what the Record shows, as I remember it and as I see it before me here, is that the effect of the holding merely was that the bill was not before the House for consideration at that time in such a way as that the point of order would lie. Of course, there would be a time at which it would be subject to a point of order, and a point of order would lie notwithstanding the Journal now shows that the point of order was overruled.

Mr. MANN of Illinois. A Senate amendment is not subject to a point of order under the rules of the House. The conferees are not authorized to agree to the Senate amendment, and if they did that without authority of the House and brought in a conference report the conference report would be subject to a point of order—

Mr. GARRETT. I understand that.

Mr. MANN of Illinois. You can not make a point of order to a Senate amendment.

Mr. GARRETT. That is quite true, but it ought to be understood that the effect of the decision of the Chair yesterday was not such as to impair the rule in regard to conference reports.

Mr. MANN of Illinois. Of course, the point of order was made untimely.

Mr. GARNER. May I interrupt the gentleman from Illinois with an inquiry? He says that a Senate amendment would not be subject to a point of order. Let us suppose the bill was referred to the Committee on Appropriations and brought back into the House and considered under the general rules of the House, would it not then be subject to a point of order?

Mr. MANN of Illinois. It would not.

Mr. GARNER. I disagree with the gentleman in regard to that proposition.

Mr. MANN of Illinois. The rule is that the conferees can not agree to the Senate amendment without authority from the House, and the conference report that did attempt to agree to it would be subject to a point of order.

Mr. GARNER. Let us see how that would work out, Mr. Speaker, if I may. The bill is referred to the Appropriations Committee; it is returned to the House of Representatives and considered under the rules of the House. And the House goes into the Committee of the Whole House on the state of the Union and considers the Senate amendments; the committee agrees to the Senate amendments, because they are not subject to a point of order, and come back to the House with an agreement of a legislative character. Now, then, the House is deprived of the right of any one Member to strike from that bill a legislative part of it?

Mr. MANN of Illinois. Certainly not.

Mr. GARNER. It would, because you have already agreed to the amendment in the House and it is no longer in conference.

Mr. MANN of Illinois. If the House agrees to an amendment, you can no longer make a point of order.

Mr. GARNER. That is what I said a moment ago. Under your suggestion you would have a situation where the House could agree to a legislative matter regardless of the objection of any Member.

Mr. MANN of Illinois. Certainly, under that rule.

Mr. GARNER. Or under any rule I know of now, unless you stretch that language.

Mr. MANN of Illinois. Certainly you can not. The gentleman has not read the rule recently.

Mr. CLARK of Missouri. Will the gentleman from Illinois permit an inquiry?

Mr. MANN of Illinois. Certainly.

Mr. CLARK of Missouri. Is not this new rule of the House tantamount to depriving conferees of a free conference?

Mr. MANN of Illinois. I think it is.

Mr. CLARK of Missouri. And is it not liable to end in a general muddle?

Mr. MANN of Illinois. I think it is.

Mr. CLARK of Missouri. The Senate may decline to have a conference where the thing is tied up in advance.

Mr. MANN of Illinois. But the Senate in this case has requested a conference.

Mr. CLARK of Missouri. I know they have in this case, but I am talking about the general proposition.

Mr. BRITTEN. Does not the gentleman believe that the muddle has already occurred?

Mr. CLARK of Missouri. Judging from the conduct of the gentleman on yesterday, I would say it had. [Laughter.]

The SPEAKER announced the following conferees: Mr. ELSTON, Mr. DEMPSEY, and Mr. HASTINGS.

CALL OF THE HOUSE.

Mr. MCCLINTIC. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Oklahoma makes the point of no quorum.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The roll was called, and the following Members failed to answer to their names:

Andrews, Md.	Black	Carss	Cullen
Andrews, Nebr.	Bland, Mo.	Casey	Currie, Mich.
Anthony	Burroughs	Chindblom	Curry, Calif.
Ashbrook	Caldwell	Clark, Fla.	Dale
Babka	Campbell, Kans.	Classon	Davey
Baer	Candler	Coady	Dempsey
Barkley	Cantrill	Connally	Denison
Bell	Caraway	Costello	Donovan
Benson	Carew	Crowther	Dooling

Doremus	Hulings	Mann, S. C.	Sanders, N. Y.
Doughton	Hull, Iowa	Mason	Sanford
Eagan	Humphreys	Mead	Scully
Eagle	Husted	Merritt	Sears
Edmonds	Hutchinson	Milligan	Sherwood
Ellsworth	Ireland	Minahan, N. J.	Siegel
Emerson	Jacaway	Montague	Small
Fairfield	James, Mich.	Moon	Smith, Ill.
Ferris	Jefferis	Mooney	Smith, N. Y.
Fess	Johnson, S. Dak.	Morin	Snell
Fish	Johnston, N. Y.	Mudd	Stegall
Focht	Kahn	Nelson, Wis.	Steele
Frear	Kelly, Pa.	Nicholls	Stiness
Gallivan	Kennedy, Iowa	Nolan	Strong, Pa.
Gandy	Kennedy, R. I.	O'Connell	Sullivan
Gard	Kitchin	Pell	Thomas
Godwin, N. C.	Klecza	Periman	Tinkham
Goldfogle	Kraus	Phelan	Towner
Goodwin, Ark.	Kreider	Porter	Vare
Gould	Langley	Rainey, Ala.	Venable
Graham, Pa.	Lee, Calif.	Rainey, Henry T.	Vinson
Griest	Lee, Ga.	Rainey, John W.	Voigt
Hamill	Linthicum	Randall, Calif.	Volk
Harreld	Little	Ransley	Watkins
Harrison	Loneragan	Reed, N. Y.	Webster
Haugen	McCulloch	Reed, W. Va.	Welty
Hersman	McDuffie	Riddick	Williams
Hill	McFadden	Riordan	Wilson, Ill.
Hocy	McGlennon	Robinson, N. C.	Winslow
Holland	McKinstry	Rodenberg	Wise
Houghton	McLane	Rowan	
Howard	McLaughlin, Nebr.	Rubey	
Hudspeth	Maher	Sanders, La.	

The SPEAKER. Two hundred and sixty-three Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

CONTENDED-ELECTION CASE—WICKERSHAM V. SULZER AND GRIGSBY.

Mr. DOWELL. Mr. Speaker, I submit a privileged report from the Committee on Elections No. 3 relative to the contested-election case of Wickersham against Sulzer and George B. Grigsby.

The SPEAKER. The Clerk will read the title of the report.

The Clerk read as follows:

Mr. DOWELL, from the Committee on Elections No. 3, submitted the following report on the contested-election case of Wickersham against Sulzer and George B. Grigsby.

Mr. O'CONNOR. Mr. Speaker, on behalf of the minority, I ask unanimous consent for five days in which to file minority views.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that the minority may have five days within which to file their views. Is there objection?

There was no objection.

ABRAHAM LINCOLN.

The SPEAKER. By special order for to-day, Gov. YATES, of Illinois, was given 40 minutes in which to address the House on President Lincoln. The Chair will ask the gentleman from California, Mr. OSBORNE, a veteran of the Civil War, to preside. [Applause.]

Mr. OSBORNE assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The gentleman from Illinois [Gov. YATES] is recognized for 40 minutes. [Applause.]

ADDRESS BY RICHARD YATES, FEBRUARY 12, 1921.

Mr. YATES. Mr. Speaker, a beloved poet, one of the glorious company of poets of America, has given us these lines:

He knew to bide his time,
And can his fame abide;
Still patient, in his faith sublime,
Till the wise years decide.
Great captains, with their guns and drums,
Disturb our judgment for the hour.
Bye and bye silence comes; these all are gone,
And, standing like a tower,
Our children can behold his fame.
The kindly-earnest, brave, far-seeing man,
Sagacious, patient, dreading praise, not blame,
New birth of our new soil, the first American.

I earnestly desire that my first word on this occasion be a word of thanks, and of very sincere thanks.

The privilege which has come to me by the gracious act of the gentleman from Iowa, Judge TOWNER, in seeking recognition and by the gracious act of the Speaker in granting that recognition, and by the gracious act of the House in extending unanimous consent that I may speak here is appreciated fully. It is an adornment, an embellishment, indeed a decoration, in any man's public service to be the one man designated especially by this House of Commons of the American people to speak on this day.

At this hour we stand in an imposing presence. For not we only are observing this occasion. All over the land the American people are standing in salute to-day while Abraham Lincoln and all his deeds and scenes of sacrifice are passing in review. Amid a deepening sentiment of brotherhood all classes and conditions and sections combine to recall the virtues of his life and death. There are millions upon millions with us thinking about Abraham Lincoln from ocean to ocean at this moment.

It is, I hope, not wrong for me, while recognizing the deep sense of responsibility of the day and occasion, to venture to say that there is a personal reason, an intimate, delicate reason, which causes me to come to this point with deep personal emotion.

In this city of Washington, on a street corner, on a bright morning of a day which must have been not later than April 14, 1865, the fatal day, and not earlier than March 4 of that year, a very tiny boy stood on tiptoe trying with his tiny stature to look up into the face of the tallest man he had ever seen—a very tall man—very dark as to hair and beard. There was doubt when the little fellow went home to his parents' boarding house and reported that President Lincoln had stopped him and pulled his ears and tousled his hair, but the little boy never doubted, and to-day, after the lapse of 55 years, I am satisfied that on that one occasion I saw and talked to Father Abraham. [Applause.] Men and women are wrong who think that a little child can not remember things which happened at the age of 4 or 5. All mothers know that if you talk to a child about one thing only, morning, noon, and night, breakfast, dinner, and supper, and around the fireside in the evening, and keep it up for four long dramatic years, that child will remember it. It so happened that nothing else was talked about under the roof that sheltered me in 1861, 1862, 1863, and 1864 but the Union and the Flag, the Union and liberty, the Union and Abraham Lincoln. So it is not strange I recognized him that day—not immodest in me to claim that I saw him once. [Applause.]

I will not undertake to deliver an address to-day upon that ponderous subject the "Life and character of Abraham Lincoln." This is because the life of the hero, in whose name and to honor whose memory we are gathered here, was a life which touched a great many spheres of human experience, and which accordingly presents to the biographer a great many phases of action and character—far more than is usually the case in the life of a man, especially American man.

I will content myself with referring to a few of the things in which I think he excelled.

LINCOLN THE ORATOR.

For one thing, he was a peer of ablest orators. I point you to a few examples of his eloquence:

March 4, 1861, at the close of his first inaugural address, he said:

In your hands, my dissatisfied fellow countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy this Government, while I shall have the most solemn one to preserve, protect, and defend it. I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle field and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.

While in this first inaugural Lincoln spoke of war, I believe he really hoped that there would be no scourge of war. Yet how apt and fit his words. Certain it is that had all men fully understood how unalterably determined he was, there would, somehow, have been a yielding to him.

On March 4, 1865, in his second inaugural address he said:

Fondly do we hope, fervently do we pray, that this scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's 250 years of unrequited toil shall be sunk and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago, still it must be said, that "the judgments of the Lord are true and righteous altogether."

With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us finish the work we are in—to bind up the Nation's wounds, to care for him who shall have borne the battle, and for his widow and his orphans, to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations.

When this passage was uttered the thing had come to pass. There had been a parting in a million homes, and that parting was forever. There had been nearly a thousand battles and American valor had written its name high on the temple of fame. The embattled world stood in awe of the arms and prowess at the beck and call of him who had been the flat-boat boy and rail splitter. And he who, in 1830, clad in buck-

skin clothing and coonskin cap, had crossed the eastern line of Illinois—this man was now the Commander in Chief of the greatest of military nations, to whom the imperial Caesars would have yielded tribute had he then demanded it. [Applause.] Yet notice the humble and loving words.

(Let me say, by way of parenthesis, that I do verily believe that the valor of Donelson and Shiloh, of Vicksburg and Gettysburg—yes, on both sides, North and South—did write its name so high on the temple of fame that it kept the kings and the emperors, the sultans and the czars—and the mikados—off of us for 55 years, until 1917.)

Another instance of his eloquence:

On the 11th day of February, 1861, a cold, bleak, rainy morning, to his neighbors and friends assembled to bid him farewell—a little company, only 200 in number, but a loving company, standing, uncovered, in the rain—he, also uncovered, in the rain, said:

My friends, no one not in my situation can appreciate my feelings of sadness at this parting. To this place and the kindness of this people I owe everything. Here I have lived a quarter of a century, and have passed from a young to an old man. Here my children were born and one lies buried. I now leave, not knowing when or whether ever I may return, with a task before me greater than that which rested on the shoulders of Washington. Without the aid of that Divine Being, who ever aided him, who controls mine and all destinies, I can not succeed. With that assistance I can not fail. Trusting in Him who can go with me and remain with you and be everywhere, for good, let us confidently hope that all will be well. To His care commending you, as I hope in your prayers you will commend me, I bid you, friends and neighbors, an affectionate farewell.

Four years ago five men—John Bunn, William Jayne, George Pasfield, George Brinkerhoff, and Lincoln Dubois, all survivors of that meeting—were cheered by a vast throng, as we of Springfield dedicated a stone, bought by the women of Springfield, to mark forever that spot; and all those men, deep students of Lincoln's words and works, consider this one of his most eloquent utterances. One of his historians, a student in his law office, Henry Rankin, still living in Springfield, also a survivor of that meeting, considers it unexcelled. I think so myself, unless it be one paragraph in his speech next day at Columbus, Ohio.

On the 13th day of February, 1861, at Columbus, to the Legislature of Ohio, he said:

I can not but know what you all know, that without a name, perhaps without a reason why I should have a name, there has fallen upon me a task such as did not rest even upon the Father of his Country; and feeling so, I can not but turn and look for that help without which it will be impossible for me to perform that great task. I turn, then, and look for help to the great American people and to that God who has never forsaken them.

This passage appeals to me as much as anything which ever came from his tongue or pen. You and I know that he received the help he prayed for—received it from 20,000,000 loyal hearts, and from the Infinite Power on high. He put one hand in the outstretched palm of the American people, and with the other he laid a strong hold upon the almighty arm of the almighty God, and, standing there supported by humanity and supported by Divinity, he fought the grandest fight and won the grandest victory for the whole country, race, and Nation, North and South, East and West, that the world has ever seen since the Savior walked among the sons of men. And, very marvelously, the men who then fought him now believe he won a victory for them, too.

No attempt will be made to give further examples of his oratorical power, excepting to quote the words which he delivered, to the edification and inspiration of the Nation and Christendom, on the battle field of Gettysburg in November, 1863. They read as follows:

Fourscore and seven years ago our Father brought forth upon this continent a new Nation, conceived in liberty, and dedicated to the proposition that all men are equal. Now, we are engaged in a great Civil War, testing whether that Nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle field of that war. We are met to dedicate a portion of it as the final resting place of those who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

But in a larger sense we can not dedicate, we can not consecrate, we can not hallow this ground. The brave men, living and dead, who struggled here have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work that they have thus far so nobly carried on. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to the cause for which they here gave the last full measure of devotion; that we here highly resolve that the dead shall not have died in vain; that the Nation shall, under God, have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth.

It is said that these words were first written on the backs of envelopes in a railway car between Washington and Gettysburg. Yet notice the grandeur of every sentence.

They leave us almost breathless at their close.

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LINCOLN THE OVERCOMER.

Secondly. He was the conqueror of difficulties—he was a Knight of the Sublime Order of Disappointment.

Yearning to learn, he was censured for that disposition. Craving information, he was deprived of almost all books; loving his fellow men, he was afflicted for years with bashfulness; with an eye and ear for all the beautiful in nature, in poetry, and in song, he was burdened, he says, with a voice, face, and form alike unfortunate. Those who knew him, and particularly those who encountered his eternal friendliness, never deemed him uncouth or homely. Col. Freeman Thorp, who sketched him often and whose painting of him was accepted by the Senate, assures me he saw no uncouthness, just "a tall, spare, but well-formed, muscular man, very erect, with impressive, plain, unassuming bearing."

With a desire to be a useful member of the community, he, when he became of age, embarked in various business ventures, and every one of them, without exception at all, was signally disastrous; they fastened upon him a burden of debt which he carried for 20 years, and never did dispose of until 1849, his fortieth year, after his election to Congress. He called it the "National debt." It amounted to \$1,100 and was in the form of promissory notes. When these notes became due all the creditors consented to renew them except one. This man brought suit, obtained judgment, issued an execution, and levied upon the surveying implements, which Lincoln called the things which kept soul and body together. The day of sale came, but down the dusty road that day came James Short, a farmer, and he bought all the things at the sale and laid them at Lincoln's feet, and said, "Here, begin again." Thirty-two years afterwards Abraham Lincoln, President of the United States, heard that James Short was destitute on the western border of Nebraska, and as fast as steam and train (and pony express) could carry it, he sent aid and comfort, succor and support. Gratitude after 32 years! I would love Abraham Lincoln for that, if not for anything else. [Applause.]

Desiring to go to the legislature, he was doomed at first to disappointment. Later, aspiring to congressional honors, he again met with defeats—due to provoking and exasperating misconceptions of him; and even when a candidate for United States Senator in 1856 and 1858 he still underwent the indescribable humiliation of being almost invariably misunderstood—resting, for example, under the charge of being the candidate of wealth, aristocracy, and family pride, he, who as a flatboat boy, at \$8 per month, had had to earn his living by the veriest sweat of his brow. And all along the wending way the death of beloved children and the ingratitude of pretended friends seemed to combine to make his life unbearable and all his hopes a mockery.

I have never seen the thought expressed in any biography, but from the reading of some of his own letters and speeches I have received the impression that, to some extent at least, he himself at times gave way to the thought that his life of continued agonizing was intended to prepare him for some great test.

In 1900 Prof. Van Buren Denslow, of New York City, wrote to me stating that in 1860 he left in Illinois a copy of a speech delivered by Mr. Lincoln in the hall of the house of representatives at Springfield in 1839; another copy of which speech Prof. Denslow had never been able to secure. I took pleasure in hunting for the lost pamphlet, was fortunate enough to find it, and forwarded it to its owner—40 years after he had parted with it. But before sending it back I read it. I shall always be impressed with its closing paragraph. I took a copy of it, but unfortunately have lost that, and I have never seen it anywhere else. I can not now quote it, but in substance it was this: "I never so fully realize my manhood; I never feel myself so fully rising to the complete exercise of the faculties which God has given me, as when I contemplate my country, assailed and in danger, and I, alone, standing between her and the perils that surround her."

The speech was full of what would nowadays be called sophomoric eloquence and, we must remember, was written at the age of 30, when Mr. Lincoln was merely a member of the little Illinois Legislature, only 21 years after Illinois was made a State and full 22 years before the eventful March, 1861, when he was inaugurated as President. It certainly has a prophetic sound, and whatever his intention when writing it, I prefer to believe that in the midnight hour, when that sentence was framed—in the rare and radiant moment when his wrought-up brain conveyed that high thought to his swift and shining pen—Abraham Lincoln was inspired. At any rate, the hour then imagined actually came, and in a time of sadness and of darkness that was to all others unutterably appalling this man who could not be appalled took into his firm grasp the quivering helm

of the then struggling Ship of State and never lifted his hand nor rested his eye until it entered the haven of rest.

The lightnings blazed their blinding bolts about him, but he never faltered. The thunders poured their awful blasts upon him, but he never wavered. Wave after wave of trial raised its horrid, seething crest across his path and roared, "Thus far and no farther," but he never yielded.

And at last, amidst the tears and prayers and thanksgiving of humanity, Abraham Lincoln steered the battered but yet beautiful ship into the harbor of perfect peace and anchored her there in beauty and grandeur and grace and power, safe from all the attacks of terrible treason and wasting war forever.

LINCOLN THE LOVER.

Lincoln was a paragon among lovers. He says he was awkward and bashful in the time when "young men's fancies lightly turn to thoughts of love." I am sure he was not unlovable. He certainly was highly regarded by not a few noble women, and at different times four of them so treated him that he even felt justified in proposing marriage. Ann Rutledge, Mary Owens, Sarah Rickard, and Mary Todd—these four we know he loved. It is always a gratification to me to know that our greatest men have been among our most ardent lovers. Washington was devoted to five different girls within 10 years. [Laughter.] He, however, was an elegant gentleman, a man of fashion, and always at ease in ladies' society, and it is not in the least surprising that a man so constantly coming into contact with women should be attracted by and to them. Timidity, however, in polite society, was a characteristic of Lincoln's whole life. And strong indeed must have been his love to enable it to overcome his natural shyness in woman's presence.

Those who knew him best assert that his affection once evoked was impetuous and fervent. Above the lonely grave in Menard County of Ann Rutledge his great heart broke. To that lovely girl he had told the old, old story as he escorted her to the "quilting bee." The owner of a quilt made in those days used to show to all interested the very uneven and irregular stitches which Ann Rutledge made as her heart and soul throbbed and thrilled with joy when, sitting by her side as she stitched and stitched at the "quilting frame," Lincoln told that story of man's love for woman, sweet as it is old and old as it is sweet, Thank God!

"All the world loves a lover." And no one will love Lincoln less because of the historical fact that his reason, or at least his hope and interest in life, departed from him when Ann died. Yes; that heart and soul and mind and intellect which in later years could contemplate unmoved a world in arms, were all dethroned because a sweet girl died in Menard County.

It was five long years before any other woman attracted him. Then two, in somewhat rapid succession, became recipients of his regard. Although esteeming him, they rejected him, not fully comprehending him. When he did finally marry, 10 years later, he became and remained a model husband, and Mary Todd Lincoln was a model wife. But many think to this day that the fragrance of the memory of the loved and lost one of New Salem hovered about him till his death and contributed to make him what, at times, he was—the saddest man of his time.

A kind friend, after Ann Rutledge's death, took Mr. Lincoln to his little home in a secluded spot, hidden by the hills, and there slowly and gradually brought him back to reason after weeks and weeks of suffering and peril.

In 1842 that kind friend—Bowling Greene—died, and Lincoln was selected to deliver a funeral oration. He rose to speak, but the old, dear memories crowded upon him, he broke down, his voice choked, his lips quivered, the tears poured down his cheeks. After repeated efforts, finding it absolutely impossible to speak, he strode away, bitterly sobbing. Every heart was touched by the spectacle.

I myself shall always believe that we would never have had the Lincoln we love, the gentle, tender Father Abraham, had not he himself loved mightily and madly.

He not only loved, but he loved to help others. He was not a selfish man, thinking always of self alone. He frequently thought about others before they thought about themselves. He was of that type of man of whom it can be and is said—

He is your friend behind your back.

In this connection—this is an appropriate place for me to quote from several unpublished letters.

On the 10th day of December, 1847—the thing which I now read through these lines is that he wanted his old friends and boon companions "back home" to know all that he knew; wanted to share his knowledge; to give to others—he said:

WASHINGTON, December 10, 1847.

FRIEND YATES: I presented your claim to Douglass this morning; he says it is all right and that he will pay it in a few days. When he shall have done so, you shall hear from me at once.

Things have not advanced far enough to enable me to tell you much in the way of politics, more than you see in the papers. I believe Mr. Calhoun and what force he can control are preparing to support Gen. Taylor for the Presidency. I get this impression from conversations with Duff Greene, who boards at the same house I do. There are, however, a great many Whigs here who do not wish to go for Taylor, and some of whom I fear can not be brought to do it. There are still many others of them who are strong for him, among whom I class Mr. Crittenden, although he does not expressly say so. I shall be pleased to have a line from you occasionally.

Yours, truly,

A. LINCOLN.

It is of interest to know that Abraham Lincoln, during his one term in this House, beginning March 4, 1847, the Thirtieth Congress, had, as his colleagues, and also among the Senators, many men, scores of them, who were sooner or later very prominent.

The Senate was composed of 56 men, the States numbering 28, and was presided over by Vice President George M. Dallas, of Pennsylvania. The two Senators from Illinois were Sidney Breese and Stephen A. Douglas. Other Senators were John C. Calhoun, Hannibal Hamlin (later Vice President), John A. Dix, and Sam Houston; also John J. Crittenden, Thomas H. Benton, and Daniel Webster; and also Jefferson Davis, later Secretary of War and Confederate President. The Senate, of course, occupied what is now the Supreme Court room.

James K. Polk was President.

Among Mr. Lincoln's colleagues in the House were Robert Toombs and Howell Cobb, David Wilmot and Horace Greeley, and also Alexander H. Stephens, later Confederate Vice President, and also Andrew Johnson, later President of the United States, and also John Quincy Adams, former President of the United States.

The Speaker of the House was Robert C. Winthrop, of Massachusetts, of whom it was said in the old-time phrase that he was "a man of parts," of notable accomplishments, diligent application, eternal vigilance, and unfailing courtesy—all of which phrases and praises we of this present House, the Sixty-sixth Congress, concede, apply to the Massachusetts gentleman, who, happily, now presides over our sometimes unruly sessions. [Applause.]

The Hall of the House was, of course, what is now Statuary Hall, and as the Speaker glanced due northwest his eye would rest on Mr. Lincoln's seat, which was in the back row. The number of the seat, according to the little Congressional Directory of that day, which I hold in my hand, was 191, and on his right sat No. 190—John Van Dyke, of New Jersey—and directly in front was seat 168—Lewis C. Levin, of Pennsylvania.

I mentioned above Alexander H. Stephens, later Confederate Vice President. He sat only five seats away from Lincoln. Concerning him Lincoln wrote to a friend February 2, 1848, as follows:

I just take my pen to say that Mr. Stephens, of Georgia, a little, slim, pale-faced, consumptive man, with a voice like Judge Logan's, has just concluded the very best speech of an hour's length I ever heard. My old withered, dry eyes are full of tears yet. If he writes it out anything like he delivered it, our people shall see many copies of it.

I can not refrain from inserting here the tribute which Alexander H. Stephens in 1882 wrote to Mr. Oldroyd:

I knew Mr. Lincoln well and intimately. We were both Members of the Thirtieth Congress—that is, from 1847 to 4th March, 1849. We both belonged to the Whig organization of that day, and were both ardent supporters of Gen. Zachary Taylor to the Presidency in 1848. * * * Mr. Lincoln was possessed of a very strong, clear, and vigorous mind. He always attracted the riveted attention of the House when he spoke; his manner of speech, as well as his thought, was original. He had no model. * * * He abounded in anecdotes, always apt and pointed. * * * In my last interview with him, at the celebrated Hampton Roads conference, in 1865, this trait seemed as striking as ever. He was a man of strong attachments, and his nature overflowed with the milk of human kindness. Widely as we were separated in politics in the latter days of his life, yet I ever cherish for him a high degree of personal regard. I cheerfully give this tribute to his memory.

Mr. Lincoln did not attempt to succeed himself; there was a compact between four men, and it was kept. [Applause.]

Edward D. Baker was to run in 1844 for the Twenty-ninth Congress—Baker the eloquent and vallant, talented and lamented; Abraham Lincoln was to run in 1846 for the Thirtieth Congress; a third gentleman was to run in 1848 for the Thirty-first Congress; and my father was to run in 1850 for the Thirty-second Congress. The third plank in the compact failed of fulfillment only because the party of the third part was vanquished at the polls by Maj. Thomas L. Harris, a gallant veteran of the Mexican War, who, in turn, succumbed to Yates in 1850 and 1852, only to overthrow Yates in 1854.

In the campaign of 1854 he evinced a desperate anxiety to help my father, who was then the nominee for Congress in the Sangamon-Morgan district, and wrote him the following letter:

SPRINGFIELD, August 13, 1854.

Hon. R. YATES,
Jacksonville, Ill.

MY DEAR SIR: I am disappointed at not having seen or heard from you since I met you more than a week ago at the railroad depot here. I wish to have the matter we spoke of settled and working to its consummation. I understand that our friend B. S. Edwards is entirely satisfied now, and when I can assure myself of this perfectly I would like, by your leave, to get an additional paragraph into the Journal, about as follows:

"To-day we place the name of Hon. Richard Yates at the head of our columns for reelection as the Whig candidate for this congressional district. We do this without consultation with him and subject to the decision of a Whig convention, should the holding of one be deemed necessary; hoping, however, there may be unanimous acquiescence without a convention."

May I do this? Answer by return mail.

Yours, as ever,

A. LINCOLN.

An equally unselfish letter followed:

NAPLES, ILL., November 1, 1854.

DEAR YATES: I am on my way to Quincy to speak for our old friend Archie Williams. On my way down I heard at Jacksonville a story which may harm you if not averted—namely, that you have been a Know-Nothing. I suggest that you get a denial—something like the inclosed draft which I have made—into the hands of a safe man in each precinct.

The day before election will do.

Yours, as ever,

A. LINCOLN.

My father took this letter, a yellowed old blue sheet, and turned it over and wrote on it—in 1865—to one of the biographers of Lincoln:

DEAR MR. ARNOLD: This was good advice, but it came too late. In a district lost by us on the Presidency by 2,000, I was defeated by only 200, over half of whom, I am sure, voted against me because of a false and sworn-to affidavit that I had been seen in a Know-Nothing lodge.

In this connection it is of interest to note that Mr. Lincoln disavowed Know-Nothingism in his own case.

In 1855 he said:

I am not a Know-Nothing; that is certain. How could I be? How can anyone who abhors the oppression of Negroes be in favor of degrading classes of white people? Our progress in degeneracy appears to me to be pretty rapid. As a nation we began by declaring that "all men are created equal." We now practically read it "all men are created equal except Negroes." When the Know-Nothings get control, it will read "all men are created equal, except Negroes and foreigners and Catholics." When it comes to this, I shall prefer emigrating to some country where they make no pretense of loving liberty—to Russia, for instance, where despotism can be taken pure, and without the base alloy of hypocrisy.

While we have Nicolay and Hay before us I quote from page 100, volume 1, a letter to Herndon showing how he was loyal to his word and compact in politics:

It is very pleasant to learn from you that there are some who desire that I should be reelected. . . . I made the declaration that I would not be a candidate again, more from a wish to deal fairly with others, to keep peace among our friends, and to keep the district from going to the enemy. . . . To enter myself as a competitor of others, is what my word and honor forbid (p. 100).

Upon this subject of his love for all the people, I wish to invoke two witnesses. Here is the story of one:

On the morning of the day of the assassination a visit to the White House was paid by my father, then a Senator, and another Illinoisan, who had been a presidential elector, and later a Federal judge, and later a colonel of the Seventh Illinois Cavalry. My father said, "Mr. President, here is the man you want." The President said, "That's so, he'll do," and added, "I am going to send you to New Orleans to be collector of the port—you will have 2,000 employees under you, all northerners, because substantially all southerners are disfranchised; but I want you to make love to those people down there." [Applause.]

It is of interest to record that at this interview the President, for some reason, said:

"I want this commission issued now," and did not rest until the commission was delivered—sent over by the Secretary of the Treasury—and the two Illinoisans walked out with the last commission ever signed by Lincoln. That night they sojourned at the old National Hotel—room 12—and about 9 o'clock my father, who had been at the theater, rushed in, very pale, and shouted, "Oh, Kellogg, the President has been shot!" And Kellogg said to me last year, "So we walked the streets all night, a hundred thousand men—never went to bed at all—and in the morning I stood across the street and watched them carry out the body of Abraham Lincoln with his last commission warm against my heart."

The Kellogg I refer to was William Pitt Kellogg, later governor and Senator from Louisiana and warm friend of such men as Maj. Gen. Longstreet and Gen. Wade Hampton. The point I emphasize is that Lincoln said, "Make love to those people." [Applause.]

Here is the story of the other witness. Gen. John M. Palmer told me that on the night of the assassination he, Gen. Palmer, was military governor of Kentucky. His headquarters were at a hotel in Louisville, but upon trying to get back from a friend's house to the hotel he found the streets densely packed a block in each direction by heavy masses of men standing silent in the mud and the rain. With difficulty the general and his staff pushed through, only to find in the office five ex-Confederate brigadier generals, the spokesman of whom made haste to say:

Oh, Gen. Palmer, be not alarmed because of those 20,000 men in the street. They are all our soldier boys—all paroled soldiers of the Confederacy. They are there to show their sorrow. They believe, as we believe, that in the death of Abraham Lincoln the sunny South has lost a true friend.

Gen. John M. Palmer was a life-long friend of Lincoln, and was major general, governor, and Senator from Illinois, and in 1896 nominee for President, and his statement is to be entirely relied upon.

LINCOLN CHAMPION OF GOD.

In the fourth place we come to the question, Was Lincoln a godly man? Robert Ingersoll says Lincoln did not believe in God. Robert McIntyre answers that he must have believed in God, because God undoubtedly believed in him.

I believe it to be true that Abraham Lincoln was a providential man; was, in the nineteenth-century sense and within the limitations of his time and clime, the bearer of a commission from the Almighty. When his father was about to die, he wrote to his stepmother:

I sincerely hope that father may recover his health, but at all events tell him to remember to call upon and confide in our great, good, and merciful Maker, who will not turn away from him in any extremity. He notes the fall of the sparrow, and numbers the hairs of our head, and He will not forget the dying man who puts his trust in Him.

He never lost his faith in Divine Providence. From the lips of President William McKinley I heard the story told him by Maj. Gen. Dan Sickles, of how, on the day after the Battle of Gettysburg, Gen. Daniel Sickles was carried to Washington desperately wounded. His first caller was President Lincoln, and after he had inquired all about the battle, Gen. Sickles said:

Mr. President, what did you think of Gettysburg?

Mr. Lincoln replied:

Well, Sickles, I will tell you. When I heard that Gen. Lee was marching with his vast army on Gettysburg and that the safety of the Capital, North, and of the whole Nation was imperiled, I went into a little room that I have at the White House, where nobody goes but me, and I just got down on both my knees and I prayed to the Lord God Almighty as I never had prayed before, and I told Him that this was His people and that this was His country, and these were His battles we were fighting, and that we could not stand any more Fredericksburgs or Chancellorsvilles; and I told Him that if He would stand by me, I would stand by Him.

And Sickles says that the President ended with the statement:

After that, Sickles, I somehow had no more fear about Gettysburg.

O, that "little room at the White House where nobody goes but me!" Precious little room; sacred little room. Would not you all like to see it and stand within it? It seems to me that if I could ever stand within that room in which Abraham Lincoln just talked to God, I would feel forever after that I had been on holy ground. "Put off thy shoes from off thy feet, for the place whereon thou standest is holy ground," God said when he came down to talk to Moses. Wherever God and man talk together there you have holy ground.

And then there is the Bixby letter. President Lincoln wrote a letter to Mrs. Bixby, of Boston, substantially as follows:

EXECUTIVE MANSION,
Washington, November 21, 1864.

To MRS. BIXBY, Boston, Mass.

DEAR MADAM: I have been shown in the files of the War Department a statement of the adjutant general of Massachusetts that you are the mother of five sons who have died gloriously on the field of battle. I feel how weak and fruitless must be any word of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I can not refrain from tendering you the consolation that may be found in the thanks of the Republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours, to have laid so costly a sacrifice upon the altar of freedom.

Yours, very sincerely and respectfully,

A. LINCOLN.

[Applause.]

And then there is the meditation.

In the Complete Works of Abraham Lincoln, edited by Nicolay and Hay, volume 8, page 52, appears the heading "Meditation on the Divine Will," September 30, 1862, and under this heading appears the following:

The will of God prevails. In great contests each party claims to act in accordance with the will of God. Both may be, and one must be, wrong. God can not be for and against the same thing at the same time.

In the present Civil War, it is quite possible that God's purpose is something different from the purpose of either party; and yet the human instrumentalities working just as they do, are of the best adaptation to effect his purpose.

I am almost ready to say that this is probably true; that God wills this contest, and wills that it shall not end yet.

By His mere great power on the minds of the now contestants, He could have either saved or destroyed the Union without a human contest. Yet the contest began. And, having begun, He could give the final victory to either side any day. Yet the contest proceeds.

Concerning this meditation, the same writers, Nicolay and Hay, in their work entitled, "Abraham Lincoln, a History," volume G, page 341, say:

It is a paper which Mr. Lincoln wrote in September, 1862, while his mind was burdened with the weightiest question of his life, the weightiest with which this century has had to grapple. Wearied with all the considerations of law and of expediency with which he had been struggling for two years, he retired within himself and tried to bring some order into his thoughts by rising above the wrangling of men and of parties, and pondering the relations of human government to the Divine. In this frame of mind, absolutely detached from any earthly considerations, he wrote this meditation. It has never been published. It was not written to be seen of men.

All religious utterances of Lincoln the President breathe a serene childlike faith—whatever he may have believed or disbelieved in his early years, I know, as do we all, that he cherished his Bible. He studied and carried with him on the old circuit from court to court the Bible and the plays of Shakespeare, the "Fables" of Æsop, and the "Pilgrims Progress" of John Bunyan, and also the "Washington" of Weems. My father had them also and I inherited them. These two old, shabby books, bound in the good, strong, old calf, are the office Bible of my father, dated 1830, 91 years old, and the Shakespeare of James Geers, the brother of my mother; and they left me also the "Fables" and the "Progress," and even a Weems's "Washington," with the front cover torn off. Is it not a comfort to know that such books as these were the real equipment of the lawyer and statesman of that vital day—were a vital part of his meagre library? The Bible and Shakespeare! Can we do better?

THE FIFTH POINT TO BE NOTICED IS THAT ABRAHAM LINCOLN WAS A CONSUMMATE POLITICIAN.

Some men say there can be no noble men among politicians. Thomas B. Reed, the former Speaker of the National House of Representatives, once said, "A statesman is a successful politician who is dead."

The humor and sarcasm of the saying are exceeded only by its value as a truthful expression of the popular conception of politics and politicians. It is too true that the American people consider men who devote their lives to politics as devoid of statesmanship, and, indeed, of ordinary merit. Seldom, in fact, do our countrymen acknowledge any statesmanship in a living politician. This is all wrong, and absolutely wrong. It should be the duty of every person speaking in public to take advantage of every proper opportunity to combat this idea. Men who seek public preferment, who aspire to the public service, and who attempt to serve their country in official position are not on that account to be condemned and contemned.

Abraham Lincoln never hesitated to seek public preferment and never thought it beneath true manhood to do so.

William H. Herndon, for years Mr. Lincoln's law partner, received, according to Nicolay and Hay, a letter, dated June 22, 1848, reading as follows:

Now, as to the young men, you must not wait to be brought forward by the older men. For instance, do you suppose I should have ever got into notice if I had waited to be hunted up and pushed forward by older men?

Horace White, for many years editor of the Chicago Tribune, a staunch friend of Mr. Lincoln's and one of the strongest men of his time, says:

The popular conception of Mr. Lincoln as one not seeking public honors but not avoiding public duties is a post bellum growth, very wide of the mark. He was entirely human in this regard; but his desire for political preferment was hedged about by a sense of obligation to the truth which nothing could shake. Within this high inclosure he was as ambitious of earthly honors as any man of his time.

When the list of offices and positions and honors to which Mr. Lincoln aspired and for the attainment of which he strove is considered, it presents an array sufficient to astound every advocate of the theory that "the office should seek the man and not the man the office." The captaincy of a militia company, the postmastership of a village, the deputy surveyorship of a county, the circuit judgeship pro tempore, the office of member of the legislature, the position of delegate to a convention, the office of Commissioner of the Land Office, the position of Congressman, the honorary position of presidential elector, the office of governor of a Territory, the position of secretary of a Territory, the United States Senatorship, and the Presidency of the United States—a round dozen political positions, one of which he held four times and a number of which he held more than

once—were all considered by him worthy of his notice, and none of them were considered unworthy of his aspiration and regard.

In connection with what has been said of Mr. Lincoln's willingness to hold office, let me read to you a letter from him to my father:

HON. R. YATES.

SPRINGFIELD, September 30, 1857.

DEAR SIR: Your letter, called out by the letter of J. O. Johnson, was received by me on my return from Chicago. Mr. Johnson wrote the letter by concert with me, and is entirely reliable. He is a newcomer, but he can devote more time to getting up an organization than anyone I know who knows as well as he how to do it.

And now let me say I wish you could make up your mind to come to the legislature from Morgan County next time. You can be elected, and I doubt some whether any other friend can. It will be something of a sacrifice to you, but can you not make it?

Yours, as ever,

A. LINCOLN.

Please notice that Mr. Lincoln believed in "getting up an organization." That might be called "organizing a political machine" to-day. And, further, he does not hesitate to call upon a "friend" in whom he has confidence to come to his aid. For this letter must be read in the plain light of the fact that Mr. Lincoln when he wrote it was a candidate for United States Senator and was anxious to have from Morgan County a member of the legislature who would support his cause, the Senator then being elected by the legislature.

I would not be misunderstood. Abraham Lincoln was not a "politician" in the discreditable acceptance of that term. He was a politician in the true sense of the term, a sense which it should be the duty and the pride of every man aspiring to or engaged in the public service to retain for the word. Were all politicians to emulate him in this regard, discredit would not accrue to the seeker after the honors and awards of the American public service.

For ages to come his life and achievements as a politician—that is, statesman—will reflect luster upon that profession and career, which formerly was and should forever be the dearest and the grandest in the estimation of American youth.

CONCLUSION.

Of course, Abraham Lincoln was more—much more—than great lover, great orator, great overcomer, great politician, great champion of the Almighty. He was a good lawyer and a good diplomat, a good student of finance and a fair general, a fair engineer, and a fair poet.

But he must have been more to have attracted, enjoyed, and kept the popular devotion—the love of the people as a whole.

What was it that caused and compelled a nation on its knees, at its open graves, to idolize him? Why was it, how could it be that after 400,000 boys had died the death, and at least 400,000 more were horribly mutilated or hopelessly diseased, the mothers, sisters, wives, and sweethearts still adored Father Abraham?

I think it was his sincerity and simplicity, sincere simplicity, simple sincerity.

One noted Illinoisan, Col. Ingersoll, said:

He wore no official robes on his body or on his soul.
* * * Through titles and rags and race he saw the real.

The keynote, the passage which seems to me, all things considered, to explain the spell which this man always possessed over our country and the world—this quotation is to be found in the great address by George Bancroft, the historian, delivered before the two Houses of Congress assembled in joint session the 12th day of February, 1866.

This is what Bancroft says:

As the presidential election drew on one of the great traditional parties did not make its appearance; the other reeled as it sought to preserve its old position, and the candidate who most nearly represented its best opinion, driven by patriotic zeal, roamed the country from end to end to speak for union, eager, at least, to confront its enemies, yet not having hope that it would find its deliverance through him. The storm rose to a whirlwind; who should allay its wrath? The most experienced statesmen of the country had failed; there was no hope from those who were great after the flesh; could relief come from one whose wisdom was like the wisdom of little children?

In an address upon Lincoln, which I only recently discovered, my own father said:

I never saw, and no man ever saw, any difference between the Abraham Lincoln in his office at Springfield and the Abraham Lincoln in the White House. He never changed. He trusted the people and they him. There was something in his lowly origin and in the story of his life and its struggles that made the people draw close to him. He talked to them in such a way that they understood him better than they did other men.

There you have it.

They understood him better, because he had the wisdom of little children. He had the directness of the child, the truth of the child, the fearlessness of the child, the plainness of speech of the child, and, above all, the forgiveness of the child; and

having all this the "common people heard him gladly," even as it is written of Jesus Christ, and the same common people when he died cried in the streets.

A blend of mirth and sadness, smiles and tears;
A quaint knight-errant of the pioneers;
A homely hero, born of star and sod;
A peasant prince, a masterpiece of God.

[Prolonged applause, the Members rising.]

Mr. UPSHAW rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. UPSHAW. Mr. Speaker, I simply rise to say that as a son of the South I would be recreant to a sacred impulse if I did not say I feel that this wonderful hour, with its spiritual impact and its patriotic inspiration, has made us better Americans. [Applause.]

NAVAL APPROPRIATION BILL.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15975, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, with Mr. WALSH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the naval bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15975) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

Mr. KELLEY of Michigan. Mr. Chairman, under the agreement made last evening we passed over the item for the naval training station at the Great Lakes. I ask unanimous consent to return to that for the consideration of an amendment offered by the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Amend, page 11, after line 25, by inserting as a new paragraph the following:

"To make just compensation for land, title to which was taken over under proclamation of the President, dated November 4, 1918, as an addition to the naval training station, Great Lakes, Ill., and for damage occasioned by delay in the payment for such land, or for the use and occupancy thereof by the United States, \$546,805, or so much thereof as may be necessary: *Provided*, That the Secretary of the Navy is authorized, in his discretion, to dispose of, at public or private sale, at a price to be approved by him, any land in the vicinity of the Navy mine depot, Yorktown, Va., and the naval training station, Great Lakes, Ill., or interest therein, title to, or interest in which has been acquired by the United States subsequent to April 6, 1917, together with improvements placed thereon by the United States that are deemed by him to be no longer needed for naval purposes: *Provided further*, That in cases where compensation has not as yet been made by the United States in accordance with the provisions of law, then, and in that event, the Secretary of the Navy is hereby authorized to restore such lands to former owners, and is further authorized to ascertain, determine, adjust, and pay the just compensation that such former owners are entitled to receive for the use and occupancy of such lands by the United States, such compensation to be paid from appropriations made for payments for such lands: *Provided further*, That the Secretary of the Navy, in determining the compensation for the use and occupancy of such lands, is authorized, in his discretion, to sell and convey, under such terms and conditions as he may deem appropriate, to the parties entitled to receive the land such improvements or any part thereof as may have been placed in or on said lands by the United States: *Provided further*, That the Secretary of the Navy be, and he is hereby, authorized to execute all necessary instruments to accomplish the purposes aforesaid, and all moneys received from the disposition of such lands shall be covered into the Treasury as 'miscellaneous receipts.' Report shall be made to the Congress of the final disposition of the lands aforesaid."

Mr. BLANTON. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. A point of order is reserved.

Mr. MANN of Illinois. The point of order was reserved.

Mr. McCLINTIC. Mr. Chairman, I reserve a point of order.

Mr. MANN of Illinois. The amendment is clearly subject to a point of order, because it contains legislation.

Mr. Chairman, by the naval appropriation act of 1918 it was provided that—

The President is hereby authorized and empowered, within the amounts herein appropriated therefor, to take over immediately for the United States possession of and title to each and all of the parcels of land, including appurtenances and improvements, for the acquisition of which authority is herein granted and for which appropriations are herein made: *Provided*, That if said lands and appurtenances shall be taken over—

And so forth. And—

Provided further, That upon the taking over of the said property by the President as aforesaid the title to all of the property so taken over shall immediately vest in the United States.

By the proclamation of the President, dated November 4, 1918, which recites this provision of the naval appropriation act theretofore passed, with a whereas, the President proclaims:

Now, therefore, know all men by these presents that I, Woodrow Wilson, President of the United States, by virtue of the power and authority vested in me by said act of Congress, approved July 1, 1918, do hereby, on behalf of the United States, take title to and authorize the Secretary of the Navy to take possession of the following-described tracts of land—

Then follows a considerable description of land at the Great Lakes Training Station, in Illinois—

The several tracts of land above described, with all the improvements thereon and all the rights and privileges appertinent or otherwise appertaining thereto, are hereby declared to be, and the same are, set apart for use for naval purposes, and are placed under the exclusive control of the Secretary of the Navy, who is authorized and directed to take immediate possession thereof in accordance with the terms of said act on behalf of the United States for the purposes aforesaid.

Then there is a provision in reference to ascertaining the amount of compensation:

All persons residing within said tracts of land or owning movable property situated thereon are hereby notified to vacate the said tracts of land and to remove therefrom all movable property within 30 days of the date of this proclamation.

By this proclamation the Government of the United States took title to about a thousand acres of land situated at the Great Lakes Training Station. An appropriation was carried in the appropriation act of 1918 for the payment of this land, which afterwards—a considerable portion of it, at least—was covered back into the Treasury. The Government took title to a thousand acres, or close to that. The Government does not desire all of this land. It has not yet paid for all of the land. The Navy Department says that, although the Government has taken the land and the title to the land under the act of Congress and the proclamation of the President, they desire to return a considerable portion of the land to the former owners if they are willing to take it back. Other land that the Government has title to and can not return the Navy Department desires to be able to sell and turn the money into the Treasury as miscellaneous receipts.

Now, Mr. Chairman, the fifth amendment to the Constitution of the United States—I suppose it is fair to call attention to a constitutional provision, the highest law of the land—provides:

Nor shall private property be taken for public use without just compensation.

Now, here is a case where, by order of Congress or by an act of Congress, the President, following the terms of the law, has taken title to this land. Certainly that land which is retained by the Government must be paid for.

The amendment which I have offered makes an appropriation for the Navy to pay for the lands which it desires to retain, and then contains a legislative provision to the effect that the Secretary of the Navy may, with the consent of the former owners, turn back that land which he does not desire to retain or sell any portion which he does not desire to retain.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. BYRNES of South Carolina. When the Government took title to the land were the owners dispossessed?

Mr. MANN of Illinois. The owners were dispossessed. There is one case, I am told, like this: One of the owners of this land volunteered for service in the Navy. While he was at sea, serving on board a warship of the United States, the Navy officials under this proclamation notified his wife that the Government had taken title to and possession of the land, and directed her to move out within 30 days, which she did, at considerable loss to herself. The Government has not yet made any payment for that land so taken.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent that the time of his colleague be extended five minutes. Is there objection?

There was no objection.

Mr. MANN of Illinois. Now, the question is, Congress, by passing a law, having authorized the President to take possession of and title to the land, and the title of the land having passed to the Government by the proclamation of the President, and the Navy Department has taken possession of the land, whether we will pay for it. That is all there is to it.

Mr. BLANTON. Will the gentleman yield?

Mr. MANN of Illinois. I yield.

Mr. BLANTON. The very act that authorized the President to make the proclamation recited by the gentleman from Illinois provides for just compensation to the owners, and also the proclamation of the President provides for just compensation. What has prevented compensation from being made?

Mr. MANN of Illinois. There has been no appropriation for it.

Mr. BLANTON. Did it require extra legislation to do it?

Mr. MANN of Illinois. No; it simply requires an appropriation.

Mr. BLANTON. But there is legislation in the gentleman's amendment.

Mr. MANN of Illinois. The legislation is designed to save the Government from paying for all of the land. They took more land than they needed.

Mr. BLANTON. Of course, we did not have time during the war to give due consideration to matters that were coming up; but now the war is over, and does not the gentleman think that a proposition of such magnitude as that embraced in the gentleman's amendment should be given careful consideration by a committee?

Mr. MANN of Illinois. I do; and I will say to the gentleman from Texas that the legislative portion of the amendment I have offered is taken out of a bill considered and reported by the Committee on Naval Affairs, so it has had consideration by the proper legislative committee. That bill is pending on the calendar, it is true; but that bill can not carry an appropriation, because, under the rules, the Committee on Naval Affairs can not report the appropriation. Now, the appropriation and the authority to turn back part of the land ought to go together, because we do not want to pay for all of the land.

Mr. SWEET. Will the gentleman yield?

Mr. MANN of Illinois. I yield to the gentleman from Iowa.

Mr. SWEET. How long has the Government had title to and been in possession of the property?

Mr. MANN of Illinois. They took title under the proclamation of November 4, 1918, and that proclamation passed the title and they took possession within 30 days.

Mr. SWEET. And the people were dispossessed?

Mr. MANN of Illinois. Oh, yes; the owners were dispossessed.

Mr. BUTLER. Yes, indeed.

Mr. MANN of Illinois. They were put out. I have offered this amendment because of the temporary absence and illness of my colleague [Mr. CHINDBLOM] who represents the district. I am not as familiar with the local situation of the land itself as are other Members of the House, including the gentleman from Pennsylvania [Mr. BUTLER], the chairman of the Committee on Naval Affairs, who, I think, visited it.

Mr. BUTLER. I did.

Mr. MANN of Illinois. And made an examination of it?

Mr. BUTLER. Yes.

Mr. MADDEN. I will say to my colleague, if he will permit me, that I have been over the land myself and know a great many of the people who were compelled to give up their homes and go to other places, and pay tremendous rent for places to live, who have never been able to get any consideration whatever at the hands of the Navy Department or the Government.

Mr. MANN of Illinois. I do not think I know a single former owner myself, as far as I am concerned; but it can not be possible under the Constitution, when we provide by act of Congress for taking land and the title to it, and the President in conformity with the proclamation takes title to it, that we can refuse to pay for it. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. CONNALLY. I ask unanimous consent that the gentleman from Illinois have five minutes more.

Mr. BLANTON. After the gentleman from Illinois has finished I should like a few minutes.

The CHAIRMAN. The gentleman from Texas [Mr. CONNALLY] asks unanimous consent that the time of the gentleman from Illinois be extended five minutes. Is there objection?

Mr. BYRNES of South Carolina. Reserving the right to object, I think the gentleman's proposition is a good one. I understand it, and I hope nobody will make a point of order against it; but if the gentleman from Illinois [Mr. BRITTON] is going to make it, as he has declared heretofore, we might as well know it, and not go on with the discussion.

Mr. MANN of Illinois. While I am not able to control the gentleman from Illinois [Mr. BRITTON] on most occasions, I think I can persuade him on this occasion not to make the point of order.

Mr. BLANTON. He is already persuaded.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. CONNALLY]?

There was no objection.

Mr. CONNALLY. Will the gentleman yield?

Mr. MANN of Illinois. I yield to the gentleman from Texas.

Mr. CONNALLY. I should like to inquire what machinery has been set up to determine what just compensation is, or is that to be left to the discretion of the Secretary of the Navy?

Mr. MANN of Illinois. The provision of the act of Congress was that the President of the United States should establish the value of the land.

The United States shall make just compensation therefor, to be determined by the President—

That was the provision of the act of Congress.

Mr. SABATH. Will the gentleman permit me?

Mr. MANN of Illinois. When I have answered this other question. The President by his proclamation directed the Secretary of the Navy to provide for the ascertainment of the value of the land taken, by the appointment of a board, in accordance with the provisions of the act, and that has been done.

Mr. CONNALLY. The action of that board is not conclusive on the owner?

Mr. MANN of Illinois. No.

Mr. CONNALLY. And unless the owner is willing to accept the finding of that board, he may accept three-fourths, as provided by the law which we passed, and then await the determination of the value?

Mr. MANN of Illinois. He could accept three-fourths of the amount found by the board and then sue for the balance.

Mr. CONNALLY. He could bring suit in the Supreme Court?

Mr. MANN of Illinois. In the district court.

Mr. CONNALLY. May I inquire if the claimants and this board have agreed on the price they will accept?

Mr. MANN of Illinois. My understanding from the Navy Department, from a letter I have received to the chairman of the Committee on Naval Affairs, is that they have agreed with the property owners of nearly all the property; I am not sure that all have agreed to it.

Mr. CONNALLY. Does the gentleman know how many other claims there are?

Mr. MANN of Illinois. I think there is one other case.

Mr. BLAND of Virginia. There is one at Yorktown, Va.

Mr. MANN of Illinois. The amendment I have offered, by the way, as to its legislative provision, was the item recommended by the Committee on Naval Affairs authorizing the Navy Department to make settlements with those whose property has been taken, both at the Great Lakes Training Station and at Yorktown.

Mr. HICKS. Mr. Chairman, one gentleman has asked if there was another case. There is a similar case, a glaring case similar to this one, and that is at East Camp just outside of Norfolk.

Mr. BUTLER. The Government has no title at all to that property.

Mr. LONGWORTH. I want to say that a similar situation existed in my own district in reference to the nitrate plant. The Government took 1,800 acres, and afterwards the Government desired to occupy only 400 acres, and I succeeded in getting an appropriation of \$175,000 to pay those whose property was actually taken, but I was unable to get an appropriation for the rest of it.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to proceed out of order for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed out of order for five minutes. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, illustrative of what we can do after the armistice has been signed and in peace times I might call attention to a number of things; I might call attention to the \$7,000,000 we have spent already on my friend's plant at Norfolk, but to preserve a most valuable speech that was made on the floor of the House day before yesterday by our beloved and distinguished chairman of the Committee on Accounts, I want to read it to you:

Mr. IRELAND. Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman from Illinois is recognized for four minutes.

Mr. IRELAND. Mr. Chairman and gentlemen, it is unfortunate and certainly embarrassing that some of us are unfitted to take charge of affairs of statesmanship, and through our inability to cope with the statesmanship of our colleagues must be confined to smaller matters, such as the chairmanship of the Committee on Accounts in the House. [Laughter.] But in so far as our poor ability will permit, we desire to discharge those duties conscientiously.

I want to correct what might have been a misapprehension, or a question of veracity between the gentleman from Wisconsin [Mr. FREAR] and myself. I did not intend to create the impression that I

was denying the statement he made. I think his statement is absolutely true. Yet it remains that the lawyer he named was on March 18 paid a voucher for \$3,000, but it might have been in another capacity.

Mr. FREAR. Will the gentleman yield?
Mr. IRELAND. No; I will not yield.
Mr. FREAR. I yielded to the gentleman.
Mr. IRELAND. I yield.
Mr. FREAR. I want to say that the gentleman simply anticipated me. I intended to make that statement.
Mr. IRELAND. Then we understand each other.
Mr. FREAR. Surely.
Mr. IRELAND. And it does not matter about the rest of the House.
[Laughter.]

Mr. FREAR. No.
Mr. IRELAND. The gentleman from South Carolina made the statement that these contracts were not submitted to the Committee on Accounts for approval, and they certainly were not, and I want to say most emphatically that for many of these contracts involving expenditures it is not necessary to submit the contract, but under the law it was necessary to know that they would have the approval of the Committee on Accounts.

Mr. LAYTON. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LAYTON. The gentleman from Texas is not speaking on this bill.

The CHAIRMAN. The gentleman from Texas had permission to speak out of order. The point is overruled.

Mr. BLANTON. I will now continue reading the balance of the speech of the gentleman from Illinois [Mr. IRELAND], to wit:

And I say very forcibly that had we had knowledge of the many contracts made they would not have been approved by that committee. [Applause.] Since the matter has been brought up I very reluctantly give the facts, but I think every Member of the House is entitled to them.

The reference made to the employment of counsel for Committee No. 3 states that there had been a contract, at the rate of \$20,000 per year, for the services rendered under that contract. My records show that on December 17, 1919, there was a voucher for \$600. April 5, 1920, there was a voucher for \$7,500, making a total of \$8,100. There is now in my possession, and approved by the necessary authorities under the resolution, a voucher for \$6,833.33, making a total. If this voucher be approved and paid, of \$14,933.33. Now, in justice it should be said that the voucher states that the payment is for a certain amount of time at the rate of \$20,000 a year.

I regret that the original resolution creating the Special Committee on Investigation of Expenditures in the War Department was so loosely drawn that it was capable of various constructions, but I have no doubt that all acted in good faith, not knowing that there would be an objection by so little and insignificant a committee to the payment of such outrageous sums as have been contracted for in the most unwarranted, foolish, and puerile manner. [Applause.]

If the investigation accomplished anything, I should be delighted to spend any amount necessary to obtain the facts, but I have seen no concrete application made of the results obtained from these investigations so far. [Applause.] I am tired and disgusted in my humble capacity of trying to save at the spigot and have somebody kick out the bung-hole. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. Chairman, our distinguished chairman of the Committee on Accounts [Mr. IRELAND] forgot to put his speech in the RECORD, I suppose, for it did not appear in the RECORD. I do not know whether he forgot it or not, and I do not know whether the steering committee has anything to do with it or not. But that is such a remarkable speech, showing what we can do here after the war is over in peace times, that I thought it ought to go in the RECORD, and so I secured a copy of the transcript of his speech from the reporters and have read it to you. We ought to be careful what we do in peace times.

Mr. BLAND of Virginia was recognized.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman withdraw his point of order?

Mr. McCLINTIC. I reserved the point of order, and I want to say a few words in regard to it.

The CHAIRMAN. The Chair has recognized the gentleman from Virginia [Mr. BLAND].

Mr. BLAND of Virginia. Mr. Chairman, I listened with a great deal of interest to the speech of the gentleman from Illinois. There is a situation in my district which is almost identical with the situation which has been disclosed by that speech. It is the situation at Yorktown, Va., where property was taken over for the purpose of a Navy mine depot. It was taken over under a proclamation of the President on August 7, 1918, and then in order to eliminate certain church property the proclamation was modified by proclamation November 2, 1918. A part of the property is no longer desired by the Navy Department, and to that extent the situation is identical with the situation which has been disclosed by the gentleman from Illinois.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. BLAND of Virginia. Yes.

Mr. MANN of Illinois. To that extent, while I knew nothing about it, it is covered by the amendment that I have offered.

Mr. BLAND of Virginia. That is true; I have a substitute which will cover the additional situation, and that is this: A part of the property was never taken into the possession of the United States, as I understand the situation. Title was taken by the Government. It was property belonging to a small, poorer class, in many cases Negroes, who were building there

little homes. The situation is better shown by a letter which I received recently from an attorney who is familiar with the conditions there. In that letter he says:

FRANK ARMISTEAD, LAWYER,
Williamsburg, Va., February 9, 1921.

Mr. S. O. BLAND, M. C.,
Washington, D. C.

DEAR BLAND:

You will notice that on lines 6 to 9 it is provided that where the lands are taken back the parties are to be paid "for the use and occupation of such lands by the United States."

The situation here is that the land which they have not been paid for, with the exception of possibly one or two pieces, has not been used or occupied by the Government, but the original claimants have been allowed to use and occupy the land. As you know, the larger part of the buildings on this class of property require constant repair and patching up. The owners usually do this themselves, and very often by cutting some timber off the land to get the material for this purpose. Since the proclamation of the President taking this property they have not felt that they were justified in making any repairs to this property, and have not been allowed to cut any growing tree or bush from it, consequently the buildings on the property have gotten into a terrible state of repair and most of the fields have grown up in pine bushes. You know that in this section of the country that if a piece of land is left uncultivated for two years it will grow up in bushes. The owners have not known whether or not they would be able to hold their lands through the season, and therefore most of it has not been cultivated.

In addition to the damages above spoken of, I will cite an instance of the damage to a Negro named John Roberts to a piece of timberland that he owned. Roberts bought this land, paid one-third cash, gave a deed of trust for the balance, which was payable in one and two years, made arrangements with Mr. Hiden to furnish him the money to take up the notes in case the purchaser demanded it, and contracted with Mr. Hiden to sell him the wood that was on the place. There was more than enough cordwood on the place to pay for it; it was only three-quarters of a mile from a railroad siding; the wood could be cut by the man and his family and hauled with his team. After cutting 23 cords of wood the Government stopped him, and up to this time have not paid him for his land. In the meantime his notes given for the purchase money have become due, and while the holders could not enforce their deed of trust, they were threatening him with and were preparing to institute a suit to get judgment against him and to levy upon his personal property, and but for my indorsing his note and getting the money for him on my indorsement to pay these notes his personal effects would have been sacrificed under sheriff's sale.

The title had been taken by the Government and these people were unable to farm their land, because they did not know at what moment the Government was going to tell them they must vacate the property. That condition applies to a large number of people on that land. I have been to the Government officials and they say that they can do nothing. The Navy Department says that it wants to turn back the land. The title is in the Government. Many of these people have made contracts elsewhere in order to buy themselves little homes, believing that the Government was going to pay for this land. They are faced with the contracts there, and they are getting nothing here. They have suffered considerable damage, and they are a class of people who are really too poor to pay an attorney to represent their claims. Something ought to be done about this situation and these matters ought to be cleared up.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BUTLER. Mr. Chairman, I desire to ask the gentleman a question.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUTLER. Did we not provide for the situation at Yorktown in this omnibus bill?

Mr. BLAND of Virginia. Which bill is that?

Mr. BUTLER. The one that was reported out by the Naval Affairs Committee, that is now on the Calendar of the House.

Mr. BLAND of Virginia. I am not sure about that.

Mr. BUTLER. Yes, we did; there were two places that were considered with very great care, I would state to the gentleman from Texas [Mr. BLANTON]. I want to know what amendment the gentleman is going to offer before we agree to the amendment offered by the gentleman from Illinois [Mr. MANN], because if that amendment is out of order the gentleman can offer anything as an amendment to it.

Mr. BLAND of Virginia. The gentleman also provided for the Illinois proposition?

Mr. BUTLER. Yes; for Illinois and Yorktown.

Mr. MANN of Illinois. The amendment that I offered provided for both places.

Mr. BUTLER. It provides for both.

Mr. BLAND of Virginia. I think this is the situation: The bill reported by the gentleman's committee takes care of just compensation for the land and the return of the land, but it does not take care of the damages where the parties have been allowed to remain in possession.

Mr. BUTLER. Oh, yes, it does.

Mr. BLAND of Virginia. Then, if that is so—

Mr. BUTLER. I believe it does, and I would not mislead the gentleman knowingly. I understand it does. The bill was read over many times, and I think it provides that the land can be returned and compensation given to these people.

Mr. BLAND of Virginia. Then, if the gentleman will get the bill up and pass it, I will be very much obliged.

Mr. MCCLINTIC. Mr. Chairman, according to the statement of the gentleman from New York [Mr. Hicks] there seem to be some other cases similar to those that have not yet been properly taken care of. This item appropriates a little over half a million dollars. It authorizes the Secretary of the Navy to make private sales. Heretofore I have objected wherever possible to the policy of making private sales for the reason that the Government has suffered severely during the war because there was not a sufficient amount of publicity given to certain business transactions. Inasmuch as this subject rightfully should be considered and reported upon by the Naval Affairs Committee, and inasmuch as I understand that a bill of that kind is at present upon the Calendar, I most respectfully make the point of order.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order against the amendment. Does the gentleman from Illinois desire to be heard?

Mr. MANN of Illinois. Oh, no. The amendment is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN of Illinois. Mr. Chairman, I offer a further amendment which is not subject to the point of order.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 11, after line 25, insert as a new paragraph the following:
"To make just compensation for lands, title to which was taken over under proclamation of the President dated November 4, 1918, as an addition to the Naval Training Station, Great Lakes, Ill., \$400,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that the amendment is not germane either to the bill or to the paragraph to which it is offered, as there is no provision in the bill for compensating private owners for land taken over by the Government.

Mr. MANN of Illinois. The gentleman might as well make the point of order, for it is not good.

The CHAIRMAN. The gentleman from Texas makes the point of order that the amendment is not germane to the paragraph to which it is offered.

Mr. MANN of Illinois. It is not offered to any paragraph.

The CHAIRMAN. At the place in the bill at which it is offered. The Chair notes that this paragraph follows an item in the bill headed "Naval Training Stations, Great Lakes." This bill is one making appropriations for the naval service for the fiscal year ending June 30, 1922. The amendment the gentleman from Illinois offers is to make just compensation for land, title to which was taken over under proclamation of the President November 4, 1918, as an addition to the Naval Training Station, Great Lakes, Ill. It would appear to the Chair that the amendment is germane to the bill to which it is offered, and furthermore that it is not contrary to the rule to offer the amendment at a place in the bill where it is offered.

Mr. BLANTON. Mr. Chairman, may I propound an interrogatory to the Chair?

The CHAIRMAN. Certainly.

Mr. BLANTON. Is there anything in this bill that involves the subject of making payment of compensation to owners of land whose property has been taken over under proclamation of the President?

The CHAIRMAN. Of course, the gentleman from Texas would realize that if appropriations are authorized by previous laws it is not necessary that reference to the previous laws be contained in appropriation bills to which amendments carrying appropriations under previous authority offered.

Mr. BLANTON. That is true if the amendment is offered to the bill by the committee, but my point of order embraces the proposition that the amendment was not put in the bill as coming from the committee, but comes from a Member not a member of this committee from the floor, without any notice to the committee or to the House, and I again respectfully remind the Chair of a very distinguished decision upon that proposition which has been handed down from Speaker Carlisle on to the present time for 40 years that when an appropriation bill is brought into the House it is not subject to amendment except on germane matters by an amendment offered from the floor, because it is unfair to the membership, who may expect only such subjects as appear in the bill.

The CHAIRMAN. But the Chair would say to the gentleman from Texas that the fact there is no reference in the bill to a proclamation of the President under which this land was to be taken does not affect the germaneness of an amendment offered

to an appropriation bill for the Naval Establishment, and the Chair therefore overrules the point of order. The question is upon—

Mr. MCCLINTIC. Mr. Chairman, I reserved a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MCCLINTIC. I make the point of order this is legislation upon an appropriation bill unauthorized by law.

The CHAIRMAN. The Chair would state there is no legislation contained in the amendment, which simply carries an appropriation to pay for land taken over under proclamation of the President, and the proclamation of the President is the authority for the appropriation.

Mr. MCCLINTIC. But a proclamation of the President is hardly the law.

The CHAIRMAN. The proclamation of the President was issued under authority of law, and the Chair overrules the point of order.

Mr. BLANTON. Mr. Chairman, I offer a substitute for the amendment. I offer as a substitute the first amendment offered by the gentleman from Illinois.

The CHAIRMAN. The gentleman from Texas offers an amendment by way of a substitute, which the Clerk will report.

The Clerk read as follows:

Substitute offered by Mr. BLANTON to the amendment offered by Mr. MANN of Illinois: Page 11, after line 25, insert a new paragraph, as follows—

Mr. MADDEN. Mr. Chairman, I make a point of order against the substitute.

Mr. MANN of Illinois. Do not do that.

Mr. MADDEN. All right; I will withdraw it.

The Clerk read as follows:

To make just compensation for land, title to which was taken over under proclamation of the President, dated November 4, 1918, as an addition to the naval training station, Great Lakes, Ill., and for damage occasioned by delay in the payment for such land, or for the use and occupancy thereof by the United States, \$546,805, or so much thereof as may be necessary: *Provided*, That the Secretary of the Navy is authorized, in his discretion, to dispose of, at public or private sale, at a price to be approved by him, any land in the vicinity of the Navy mine depot, Yorktown, Va., and the naval training station, Great Lakes, Ill., or interest therein, title to, or interest in which has been acquired by the United States subsequent to April 6, 1917, together with improvements placed thereon by the United States that are deemed by him to be no longer needed for naval purposes: *Provided further*, That in cases where compensation has not as yet been made by the United States in accordance with the provisions of law, then, and in that event, the Secretary of the Navy is hereby authorized to restore such lands to former owners, and is further authorized to ascertain, determine, adjust, and pay the just compensation that such former owners are entitled to receive for the use and occupancy of such lands by the United States, such compensation to be paid from appropriations made for payments for such lands: *Provided further*, That the Secretary of the Navy, in determining the compensation for the use and occupancy of such lands, is authorized, in his discretion, to sell and convey, under such terms and conditions as he may deem appropriate, to the parties entitled to receive the land, such improvements or any part thereof as may have been placed in or on said lands by the United States: *Provided further*, That the Secretary of the Navy be, and he is hereby, authorized to execute all necessary instruments to accomplish the purposes aforesaid, and all moneys received from the disposition of such lands shall be covered into the Treasury as "miscellaneous receipts." Report shall be made to the Congress of the final disposition of the lands aforesaid.

Mr. BLANTON. Mr. Chairman, this is a provision, as I understand it, that the committee has passed on.

Mr. MANN of Illinois. Yes; and which the Committee on Naval Affairs has reported favorably to the House.

Mr. BLANTON. And they have given due consideration—

Mr. BUTLER. Oh, yes; this is the best we can do. We believe an injustice has been done in this.

Mr. MCCLINTIC. Mr. Chairman, I make the point of order that this does not cover all propositions that occupy the same status—

Mr. BLANTON. I make the point of order that the point of order comes too late, there having been debate on the amendment.

The CHAIRMAN. The Chair thinks the gentleman from Oklahoma is late in making his point of order by permitting the gentleman from Texas to secure recognition and begin debate on the substitute. The Chair therefore sustains the point of order made by the gentleman from Texas that the point of order comes too late.

Mr. BLAND of Virginia. Mr. Chairman, I offer an amendment.

Mr. MCCLINTIC. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order there is no quorum present. The Chair will count. [After counting.] Ninety-one gentlemen are present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Gallivan	Lehlbach	Randall, Calif.
Andrews, Nebr.	Gandy	Linthicum	Ransley
Ashbrook	Gard	Little	Reed, N. Y.
Babka	Godwin, N. C.	Loneragan	Riordan
Baer	Goldfogle	Luhring	Robinson, N. C.
Bell	Goodall	McAndrews	Rodenberg
Benson	Goodwin, Ark.	McArthur	Rowan
Bland, Mo.	Goodykoontz	McCulloch	Rowe
Browne	Gould	McDuffie	Sanders, N. Y.
Brumbaugh	Graham, Pa.	McFadden	Sanford
Caldwell	Griest	McGlennon	Scott
Campbell, Kans.	Griffin	McKeown	Scully
Candler	Hamill	McKiniry	Sears
Cantrill	Hamilton	McKinley	Sherwood
Carew	Harrell	McLane	Siegel
Casey	Harrison	McLaughlin, Mich.	Sims
Chindblom	Haugen	McLaughlin, Nebr.	Slemp
Clark, Fla.	Hawley	Maher	Small
Classon	Hill	Mann, S. C.	Smith, N. Y.
Coady	Hoev	Martin	Stegall
Costello	Houghton	Mason	Stedman
Crisp	Hullings	Mead	Steele
Crowther	Hull, Iowa	Milligan	Strong, Pa.
Cullen	Hull, Tenn.	Minahan, N. J.	Sullivan
Currie, Mich.	Husted	Monahan, Wis.	Taylor, Ark.
Dale	Hutchinson	Moon	Thomas
Davey	Ireland	Mooney	Tilson
Davis, Minn.	Jacoway	Morin	Timberlake
Davis, Tenn.	James, Mich.	Mudd	Treadway
Dempsey	Jeffers	Neely	Vare
Denison	Johnson, Wash.	Nelson, Wis.	Venable
Dent	Johnston, N. Y.	Nicholls	Volk
Donovan	Juul	Nolan	Watson
Doolling	Kennedy, Iowa	O'Connell	Webster
Doughton	Kennedy, R. I.	Oldfield	Wellington
Echols	Kless	Oliver	Wilson, Ill.
Edmonds	King	Pell	Wilson, Pa.
Ellsworth	Kitchin	Perlman	Wise
Emerson	Klecicka	Phelan	Wood, Ind.
Fairfield	Kraus	Porter	Yates
Ferris	Kreider	Rainey, Henry T.	
Fess	Langley	Rainey, John W.	
Fish	Lee, Ga.	Ramseyer	

The committee rose; and Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15975, the naval appropriation bill, finding itself without a quorum, under the rule he caused the roll to be called, whereupon 263 Members answered to their names, and he presented the list of absentees for entry in the Journal.

The SPEAKER. The committee will resume its session.

The CHAIRMAN. The question is upon the substitute offered by the gentleman from Texas.

The question was taken, and the substitute was agreed to.

The CHAIRMAN. The question is upon the amendment as amended.

Mr. PETERS. Mr. Chairman, I desire to be heard on the amendment. There is a third proposition that is even more meritorious than these two that have been the subject of this amendment. This question as to what should be done with these three propositions—the Great Lakes, the Yorktown, and the even more important one at East Camp, near Norfolk—were left to a subcommittee of the Committee on Naval Affairs with authority to investigate and report. The committee has not had an opportunity to finish its investigations and has as yet made no report. I believe that this matter should be deferred until all three can be taken up and considered together. The situation at East Camp, so-called, near Norfolk is a disgrace to the Government. A large tract of land there was taken over at the beginning of the war, or soon thereafter, by the Navy Department from men who could not afford to lose the use of their land. The land was in large part mortgaged, and since the Navy Department has taken this land and used it the Government has paid no rent, no interest on the mortgage, and nothing by way of compensation. At present the Government is in possession of the land, but it does not use it. Millions of dollars have been spent upon the land, but we neither pay for it, give it up, nor use it. This question has been considered by the committee, but not the one at the Great Lakes nor near Yorktown. Now, if it is the plan that these other claims are to be looked out for now it is even more important in the interest of justice and fair dealing to the citizens of this country that this East Camp proposition be included, but we are in no position at this time to know what is proper to do in regard to East Camp, and I believe, as one member of the subcommittee of the Committee on Naval Affairs, that we should defer action on all these matters until they can all be taken up and handled together when the interests of the Government can be protected and private parties dealt with justly, and therefore I am opposed to considering this matter at the present time and to this amendment.

Mr. MANN of Illinois. Mr. Chairman, the Committee on Naval Affairs has reported on all of these matters. I know nothing about the situation at East Camp. I know nothing

about the situation at Yorktown, except what was in the letter of the Secretary of the Navy and the report of the committee. I understood the gentleman from Maine [Mr. PETERS] to say these matters were pending in the subcommittee of the Committee on Naval Affairs. I do not quite see how the Great Lakes Training Station matter is pending before a subcommittee when the full committee has reported to the House on the subject. The amendment which has been offered simply adopts the report of the full committee. I do not know just what the procedure is in the Committee on Naval Affairs.

Mr. PETERS. The subcommittee of which I happen to be the chairman was delegated about a month ago to investigate these two matters. Now, I presume that some other detail has come up making it necessary for a further investigation. We have not investigated the Chicago matter as yet. Therefore I am not familiar with the details.

Mr. MANN of Illinois. The committee has acted upon it after investigation, and I can see no reason why where a committee has acted and where all the facts are known the matter should be delayed, because you have not taken up for consideration something else.

Mr. PETERS. I take it to be that all the facts are not known.

Mr. MANN of Illinois. All the facts are known as to the Great Lakes Training Station.

Mr. PETERS. Here is a matter of a large appropriation which takes care of one or two of these matters without the other. I believe that they should all be taken care of at one time, after investigation.

Mr. MANN of Illinois. Really I can see no reason why, if it is claimed the Government owes three men money, and the Government admits it owes one of them money, that the Government should wait for the two before paying the one whom it acknowledges it owes money to.

Mr. PETERS. There is no doubt about that proposition, of course.

Mr. MANN of Illinois. That is this proposition.

Mr. PETERS. I do not agree with the gentleman.

Mr. MANN of Illinois. There is no question about owing the money at the Great Lakes Training Station.

Mr. PETERS. The policy of the Government is to be determined as to whether they will sell the land or pay a rental or occupy it. That is yet to be determined.

Mr. MANN of Illinois. Sure. That has been recommended by the Navy Department and reported upon by the Committee on Naval Affairs to the House.

Mr. PETERS. Certainly not as to these two projects.

Mr. MANN of Illinois. As to the other projects, one of them has been reported on. The gentleman ought to be more familiar with the bills reported to his committee.

Mr. PETERS. As to the Great Lakes?

Mr. MANN of Illinois. Both Great Lakes and the Yorktown proposition.

Mr. PETERS. It has been resubmitted.

Mr. MANN of Illinois. But not since the report of the committee to the House, which was only a few days ago.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. PETERS. Division, Mr. Chairman.

The committee divided; and there were—ayes 36, noes 13.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Experiments, Bureau of Ordnance: For experimental work in the development of armor-piercing and other projectiles, fuses, powders, and high explosives, in connection with problems of the attack of armor with direct and inclined fire at various ranges, including the purchase of armor, powder, projectiles, and fuses for the above purposes and of all necessary material and labor in connection therewith; and for other experimental work under the cognizance of the Bureau of Ordnance, in connection with the development of ordnance material for the Navy, \$250,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order against the entire paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. It being legislation on an appropriation bill, unauthorized by law.

The CHAIRMAN. Does the gentleman from Michigan [Mr. KELLEY] desire to be heard on the point of order?

Mr. KELLEY of Michigan. Mr. Chairman, this item carries an appropriation for experimental work. I call the attention of the Chair to volume 39 of the Statutes at Large, page 570, which authorizes the construction, maintenance, and operation of an experimental laboratory. This appropriation is for carrying on experiments in the laboratory which we are building down

here about 4 or 5 miles, within the District of Columbia. In addition to that, we have an experimental laboratory for testing projectiles and guns and armor plate at the Indianhead plant. And in further corroboration of the position that this appropriation is in order, the testing of projectiles and armor plate and guns would be one of the most essential things in the conduct of the Navy. It is not only directly authorized, but it is the most necessary incidental authority which can well be imagined. I further call the attention of the Chair to volume 38 of the Statutes at Large, page 398, where experimental work is fully recognized and made permanent law by the use of the words "Provided, That hereafter."

Mr. BRITTEN. Hereafter what?

Mr. KELLEY of Michigan. It says:

No part of any appropriation shall be expended for the purchase of shells or projectiles for the Navy except for shells or projectiles purchased in accordance with the terms and conditions of proposals submitted by the Secretary of the Navy to all the manufacturers of shells and projectiles and upon bids received in accordance with the terms and requirements of such proposals: *Provided*, That this restriction shall not apply to purchases of shells or projectiles of an experimental nature to be used for experimental purposes and paid for from the appropriation "Experiments, Bureau of Ordnance."

This entire paragraph is made permanent law and the item "Experiments, Bureau of Ordnance," recognized by that provision.

Mr. BRITTEN. Mr. Chairman, may I suggest that the paragraph the gentleman just read applies to the purchase of projectiles. The word "hereafter" applied to the purchase of projectiles and not to the experimentation, and also the statute he first read applied to the establishment of experimental laboratories not yet completed. He did not read any language in permanent law that sustains the paragraph in question.

The CHAIRMAN. The gentleman from Illinois makes the point of order on the paragraph headed "Experiments, Bureau of Ordnance." This paragraph provides for experimental work in the development of armor-piercing and other projectiles, fuses, powders, and high explosives, in connection with problems of the attack of armor with direct and inclined fire at various ranges, including the purchase of armor, powder, projectiles, and fuses for the above purposes and of all necessary material and labor in connection therewith; and for other experimental work under the cognizance of the Bureau of Ordnance, in connection with the development of ordnance material for the Navy, \$250,000.

The citation of the statute by the gentleman from Michigan [Mr. KELLEY] as authority for the laboratory does not seem to the Chair to warrant the appropriation for this particular purpose. But the question seems to resolve itself into one as to whether this work is necessarily incidental to the proper conduct of one of the recognized and legally established bureaus of the Navy Department, and that it may make experiments with projectiles, armor, high explosives, and other facilities which are necessarily a part of naval ships, or which may be included in the proper work of the Navy under this particular bureau; and while it is not a question exactly similar to that presented by appropriations for emergencies, it would seem to the Chair that this might be held to be one of the necessary incidentals to the operations of this particular activity of the Navy Department, and as such might properly be appropriated for in the appropriation bill for the Naval Establishment. The Chair will overrule the point of order upon that ground. The Clerk will read.

The Clerk read as follows:

Contingent, Bureau of Ordnance: For miscellaneous items, namely, cartage, expenses of light and water at ammunition depots and stations, tolls, ferrage, technical books, and incidental expenses attending inspection of ordnance material, \$20,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order on the paragraph, that it is legislation upon an appropriation bill.

Mr. BYRNES of South Carolina. Is not some of this going to defend Chicago?

Mr. BRITTEN. Not that I know of.

Mr. BYRNES of South Carolina. I presumed that to be so, or the gentleman would not have made a point of order against it.

Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The motion is not in order, because a point of order is pending on the paragraph.

Mr. BYRNES of South Carolina. I thought the point of order was withdrawn.

The CHAIRMAN. The item is one for "Contingent, Bureau of Ordnance," the language being for miscellaneous items, including several of them, and this is similar to the paragraphs heretofore passed upon in the bill when points of order have been raised. The Chair overrules the point of order.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from South Carolina moves to strike out the last word.

Mr. BYRNES of South Carolina. Mr. Chairman, so far as I am concerned, it is immaterial to me whether the gentleman from Illinois [Mr. BRITTEN] takes the language out of the Record or not. I am perfectly willing to have it remain in the Record so long as the language comes from him.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. No; I refuse to yield.

Mr. BRITTEN. I yielded to him.

The CHAIRMAN. The gentleman declines to yield.

Mr. BYRNES of South Carolina. I want to call attention to this fact: The language contained in this paragraph to which the gentleman from Illinois makes the point of order was contained in the appropriation bill reported by the Committee on Naval Affairs in the last Congress. It was subject to a point of order, and the point of order was not made. Had this bill been reported by the Committee on Naval Affairs it would have been subject to a point of order. If the rule as to committees under which the House is now operating is changed and the Committee on Naval Affairs should report the bill in the next session and include any appropriations which are not in order on this bill, they would be subject to points of order, but I do not believe that any Member of the House, with the exception of the Member from Illinois [Mr. BRITTEN], would make a point of order.

The gentleman stated that as a matter of principle he would object to any amendment which contained legislation to be offered on this appropriation bill, and to any item of the bill which was legislation. Following this announcement, he continued to make points of order up until the time when the paragraph was reached providing an appropriation for the Great Lakes Training Station at Chicago, when no point of order was made, and the gentleman from Illinois [Mr. MADDEN], his colleague, very properly stated that he was a watchdog of the Treasury, but he did not bark at his friends. Then, when the gentleman from Illinois [Mr. MANN] offered an amendment, which he stated very properly was subject to a point of order—certainly as to that part which was legislation—because it provided, doubtless, for an appropriation for persons residing in the city of Chicago, the gentleman from Illinois [Mr. BRITTEN] absented himself from this Hall, and no point of order was made, and he sacrificed his principle for the purpose of securing an appropriation; and the minute that amendment was adopted and the Clerk begins to read the bill the gentleman from Illinois returns to once again establish the principle that legislation shall not be carried on an appropriation bill, and we have an opportunity to know what the gentleman's idea is of a principle, and how he lives up to the principles that he entertains.

Mr. BRITTEN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. BRITTEN. Mr. Chairman, I want to call the attention of the House right now—and this is a very opportune time—to the fact that this bill was reported to the Committee on Appropriations one morning at 11 o'clock, and Mr. KELLEY of Michigan immediately thereafter reported the bill to the House favorably from the Committee on Appropriations.

I said then what I say now, that the Committee on Appropriations did not consider this bill, and did not know what was in it, and it has been proved by the remarks of the young man who has just spoken [Mr. BYRNES of South Carolina], because he has referred to the Great Lakes Training Station as being in Chicago. It is not in Chicago. He does not know it. He does not even know where the Great Lakes Training Station is, and he is a member of this important appropriating committee that brings in an appropriation bill of \$350,000,000 at one crack. That is a further illustration of the ridiculousness of the system under which we are proceeding. The public sentiment will not stand for it; it will not stand for a man to come in here and say that the Great Lakes Training Station is in Chicago. You might as well say that the Mare Island station is at Chicago. It is silly, and it shakes the faith of the House in the bill which to-day is in charge of the gentleman from Michigan [Mr. KELLEY]. Sooner or later this rule will be amended in consequence of just such tactics as the gentleman from South Carolina has exhibited before the House, showing ignorance of what is before the House.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Maintenance, Bureau of Yards and Docks: For general maintenance of yards and docks, namely, for books, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants; machinery; operation, repair, purchase, maintenance of horses and driving teams, carts, timber wheels, and all vehicles, including motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes, and including motor-propelled vehicles for freight-carrying purposes only for use in all navy yards and naval stations; tools and repair of the same; stationery; furniture for Government houses and offices in navy yards and naval stations; coal and other fuel; candles, oil, and gas, attendance on light and power plants; cleaning and clearing up yards and care of buildings; attendance on fires, lights, fire engines, and fire apparatus and plants; incidental labor at navy yards; water tax, tolls, and ferrage; pay of watchmen in navy yards; awnings and packing boxes; pay for employees on leave, and for repairs and preservation at navy yards, fuel depots, fuel plants, and stations, \$7,500,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, messenger, and other classified work in the navy yards and naval stations, except similar expenditures in the Bureau of Yards and Docks, for the fiscal year ending June 30, 1922, shall not exceed \$1,300,000: *Provided further*, That no part of any appropriation contained in this act shall be used for the purchase of passenger-carrying automobiles: *Provided further*, That expenditures from appropriations contained in this act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of operators, shall not exceed \$150,000: *Provided further*, That during the fiscal year ending June 30, 1922, operators of motor vehicles who were carried on the rolls of other bureaus prior to July 1, 1920, shall be continued to be so carried where their employment shall be found necessary.

Mr. BLANTON. Mr. Chairman, I offer a perfecting amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 17, line 10, after the word "station," strike out "\$7,500,000" and insert in lieu thereof "\$6,500,000"; and in line 16, strike out "\$1,300,000" and insert in lieu thereof "\$1,000,000"; in line 22, strike out "\$150,000" and insert in lieu thereof "\$50,000."

Mr. BLANTON. Mr. Chairman, this paragraph, appropriating \$7,500,000 under the head of Bureau of Yards and Docks, embraces, of course, the work carried on at the Philadelphia Navy Yard, and part of it goes to pay employees at that navy yard. Now, as to whether or not it is necessary to have the number of employees that are there at this time, and whether or not it is necessary to appropriate this \$7,500,000, I want to read to you a letter which I have just received from a distinguished citizen of the city of Philadelphia regarding what is going on in that navy yard:

[Francis Ralston Welsh, Investment Bonds, 109-111 South Fourth Street. Telephone: Bell, "Lombard 2404"; Keystone, "Main 3460"; Cable address, "Ralston."]

PHILADELPHIA, February 11, 1921.

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

DEAR MR. BLANTON: Apropos of superfluous Government employees, an employee of this office had to go to the office of the commandant of the Fourth Naval District, League Island, Philadelphia, to-day. When he arrived there, about 10.15 a. m., there were about 25 girls in the room who were employees of the office. About half of them were working, but others were eating apples, laughing, and talking, and some of them were dancing in the office. One man came up to the chief clerk and said, "George, I am going to leave now and go uptown. If anyone calls me up say I won't be back," and then he explained about having some personal affairs to attend to. A Government employee who heard this stated that was exactly the state of affairs he found in the Army Department in Washington while he was employed there as a volunteer war worker. So is our money wasted.

Sincerely,

F. R. WELSH.

That is the condition to which I have been calling the attention of my colleagues day after day.

Mr. GOOD. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GOOD. Why did not the gentleman call the attention of the department to it? Congress can not do anything about that. We can not administer the appropriations. After we appropriate the money the responsibility for the proper expenditure of it rests with the executive departments.

Mr. BLANTON. What is the use of going to a department whose estimates are millions of dollars more than the bill carries? What is the use of going to a department Secretary and saying, "Mr. Secretary, I want permission to take a photographer through your corridors here and through the offices of this building and take pictures to preserve and show to Congress how many useless, idle employees you have here," when that Secretary in effect says, "You have no right to do it, because the little, insignificant Congress of the United States ought to appropriate every dollar that I, the big executive officer of the Nation, say I want without question. It is an executive matter that little, old Congress has no right to go behind." What is the use of going to a department like that? Here I am coming to the appropriating power; I am coming to

the power that really takes the money out of the people's Treasury. And yet, because it takes work to look into these matters, the committee sits down here and has a great big printed hearing containing what bureau chiefs say, and then the committee gives them practically everything they expect, because they really double their estimates, knowing that the committee is going to trim them down. Every one of them double their estimates. They have been doing it year after year, and because you simply cut their estimates in two you are not saving the money of the people.

Mr. YOUNG of Texas. Mr. Chairman, I rise in opposition to the pro forma amendment. I have been sitting here patiently for several days listening to this debate and to the parliamentary questions raised by the gentleman from Chicago [Mr. BRITTEN]. He now raises the question as to where the Great Lakes Training Station may be located. Personally I do not know exactly where it is located. I understand it is somewhere in the vicinity of Chicago. But as an onlooker watching these proceedings it strikes me that they are in the nature of a filibuster that is being carried on, which will result in endangering packer legislation. I do know one thing, that there are five great institutions in this country that stand between the stock-producing interests and the consumers of the country, and that those five great packing interests are located in the city of Chicago; and we have on the calendar a bill undertaking to regulate those concerns, and the responsible majority in this House through its leader is not giving us a parliamentary status so that that bill can be considered. I have called this to the attention of the House more than twice in order to get the majority to give us that parliamentary status, and on day before yesterday, when I tried to quote what his attitude was, from a written statement that I read the day before, he challenged that statement. I want to say that I now have that written statement. He did not make a denial in so many words, but he simply said that he challenged my statement. Here is the authority on which I base that statement:

Representatives of many important national farmer, labor, and women's legislative organizations have just sent a letter to Majority Leader MONDELL, placing responsibility for packer-control legislation squarely upon the leadership of the Republican Party, and one to the Rules Committee of the House asking that it promptly report the House resolution No. 669 to bring packer-control legislation on the floor of the House.

The letter to Mr. MONDELL refers to a conference which representatives of the organizations signing the letter had with him in which he stated, in substance, that he is opposed to the packer-control legislation, but he believes that if the Gronna bill as it passed the Senate came to a vote in the House it would be passed and go to the President, and also that as a Republican he is anxious to have a Republican President sign the packer-control bill when passed by Congress. The letter states, in part:

"All the packers are concerned about now is to defeat packer-control legislation at the present session of Congress.

And that is the truth.

"A large proportion of the Republican Members of both branches of Congress want the Senate Gronna bill enacted, and it is not a partisan issue—

And it is not.

"But, as the Republican Party is in control of both branches of Congress, it must take full responsibility for the defeat of the bill. We can not believe that the President-elect will wish to take the chance of not securing packer-control legislation at the next session of Congress or some other time, merely on the plea that he be allowed to sign the packer-control bill. The American people are not worrying over what President signs good bills, but they want this good Senate Gronna bill promptly enacted, and there is plenty of other good legislation desperately needed in this country, which we sincerely hope the incoming President may have opportunity to sign.

"We respectfully ask, therefore, that you will align yourself with the American people and exert your best efforts to secure the enactment by the House of the Gronna bill, as passed by the Senate."

This is signed by the representative of these farmers', labor, and consumers' organizations. I will not take time to read the names, but will ask to insert them. Now, the parliamentary situation is such that one word from the majority leader [Mr. MONDELL] to the chairman of the Rules Committee, the gentleman from Kansas [Mr. CAMPBELL], who has great power—one word to the chairman of that committee—will make this packer-control legislation in order and we can have legislation within 24 hours. The question is, Will you make that demand? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG of Texas. I ask unanimous consent to insert the names which are signed to this communication.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that he may extend his remarks by inserting the names which he did not read. Is there objection?

Mr. BRITTEN. Reserving the right to object, who prepared the statement?

Mr. YOUNG of Texas. It was prepared by the ones whose names are signed to it.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman have one minute more in order to read the names.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. YOUNG of Texas. I will give the names. They are as follows:

The letters were signed by Mr. William H. Johnston, vice president the People's Reconstruction League and president the International Association of Machinists; Mr. Gray Silver, Washington representative the American Farm Bureau Federation; Mr. Charles A. Lyman, secretary the National Board of Farm Organizations; Mrs. E. P. Costigan, for the League of Women Voters; Mrs. Florence Kelley, secretary the National Consumers' League; Mr. Herman E. Willis, assistant chief Brotherhood of Locomotive Engineers; Mr. R. F. Bower, representing the National Farmers' Union; Mr. George P. Hampton, managing director of the Farmers' National Council; and Benjamin C. Marsh, executive secretary the People's Reconstruction League and secretary and director of legislation of the Farmers' Council.

Mr. McCLINTIC. Mr. Chairman, I object to the request for unanimous consent to extend his remarks.

The CHAIRMAN. The gentleman from Texas has already read the names.

Mr. KELLEY of Michigan. Mr. Chairman, the gentleman from Texas [Mr. BLANTON] moves to reduce the amount recommended by the committee for maintenance and repairs of these navy yard stations. I think the gentleman from Texas may be a little in error as to what this fund can be used for. It is not for the payment of mechanics in the navy yards and stations, but for maintenance and repairs, for machinery and the like, heating, lighting, and a certain force of employees used in connection with the upkeep of yards, but not directly connected with the manufacturing end of the yards.

Mr. BLANTON. Will the gentleman yield? I am sure the gentleman wants to be fair.

Mr. KELLEY of Michigan. Yes; I am going to be fair, if I am not already. Mechanics are paid out of a fund which will be found under the provisions for the increase of the Navy, Bureau of Construction and Repair, Steam Engineering, and Ordnance. The gentleman will recognize that there is a large amount of expenditure necessary for the repair and upkeep of buildings, for watchmen, for fire protection, and so on. The aggregate value of property in navy yards and stations is approximately \$550,000,000.

Mr. BLANTON. Let me read a few items that are in this paragraph: "Pay for employees on leave." In line 12, "clerical," and that means clerks, "messengers," and that means a certain other line of civilian employees, "\$150,000 for maintenance and operation of passenger-carrying vehicles."

Mr. KELLEY of Michigan. The gentleman is reinforcing what I have said. There is nothing in here for mechanics.

Mr. BLANTON. I did not mention mechanics.

Mr. KELLEY of Michigan. I thought from the letter which the gentleman read—

Mr. BLANTON. That referred to civilian employees. When we reach the big \$550,000,000 program, I am going to touch on that.

Mr. KELLEY of Michigan. I do not know of any such item in this bill. If there is it must have gotten in when I was not looking. It may have escaped the attention of the gentleman from Texas that this item for maintenance and repair is a consolidation of two items as carried in former bills. They were formerly carried under the head of "Maintenance," Bureau of Yards and Docks, and in another item "Repairs," Bureau of Yards and Docks. The committee after considerable investigation decided that the difference between the two was very slight. For instance, it was found that if they painted the inside of a house it was charged against one item, and if they painted the outside it was charged to another. We thought where there was so fine a distinction we might as well put the two together. That makes \$7,500,000 for the two funds which last year carried \$9,500,000, and for which the department asked this year \$13,500,000. When we cut the amount from \$13,500,000 to \$7,500,000 under the estimate and \$2,000,000 under the expenditures of the current year we thought we were cutting as deeply as the situation would warrant.

Mr. BLANTON. Oh, the gentleman must not get uneasy so quickly, because I realize that he is so strongly entrenched over there that there is really no chance of passing my retrenchment amendment and of keeping these dancing girls off of the pay roll.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Contingent, Bureau of Yards and Docks: For contingent expenses and minor extensions and improvements of public works at navy yards and stations, \$150,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word, not for the purpose of making remarks on this particular paragraph but on another paragraph in the bill. I hope that no one will object, because my committee is having a hearing and I ought to be in the committee room. On yesterday I showed that much of the expert opinion on naval affairs held that the great ships that we are now engaged in building, and provided for in this bill, were likely to be of no use whatever. I undertook to show also that in view of the improvement we might expect in the advance of aircraft and undersea craft, in all probability these ships will be obsolete before the construction was completed.

Mr. Chairman, if the people understood what would be the logical result and where we will inevitably end if this program of construction is carried out, there would be such a call for a convention of the principal naval powers for the purposes of disarmament that it could not be resisted by this Congress. Let us see what we have here in this bill. It provides \$90,000,000 for construction to complete a program which is now estimated to cost \$972,000,000, but which, I believe, will cost over a billion dollars. Is that all? It is only a small part of the expense which must inevitably come as a result of the adoption of this program. The great ships that are provided for by this bill are of such size that the wildest dreams of naval architects 20 years ago would never have thought of them. They are of 45,000 tons burden. The great battleships will be 860 feet long, carrying 16-inch guns. The cost of them will be in the neighborhood of \$40,000,000 each, and I believe the battle cruisers will cost considerably more, although the battleships may cost less. The English Government built one battle cruiser on designs somewhat similar to those which are expected to be constructed under this bill, but somewhat smaller. The name of this battle cruiser is the *Hood*. The British naval authorities estimate the upkeep of that battle cruiser at £539,000, or about \$2,500,000 per year. Considering that our battle cruisers are to be larger and of much greater horsepower, I think it is fair to assume that the upkeep alone of these battle cruisers will be over \$3,000,000 each, and what will be the cost of fuel for them or of their equipment? The battle cruisers are to have a horsepower of 180,000; that is, their engines will furnish more power than is now being supplied by the great Keokuk Dam, which we thought was one of the wonders of the world when it was constructed. How much fuel oil will one of these cruisers burn in operation? No one knows, but I think we can safely say that with 1,500 to 2,000 men aboard the total cost of operating and maintaining one of these battleships will be \$5,000,000 per year.

Are these vessels the only expense? No. Every battle cruiser and battleship requires a large number of smaller cruisers and destroyers to protect them. Over in the Senate they are now talking of constructing two aircraft vessels in order to protect these battle cruisers and battleships against aircraft, and supply them with the necessary complement in that direction. Those airplane ships are to cost \$17,000,000 each.

Mr. HICKS. Mr. Chairman, will the gentleman yield for the purpose of a correction?

Mr. GREEN of Iowa. Yes.

Mr. HICKS. These new carriers are estimated to cost \$23,000,000 and \$28,000,000, respectively.

Mr. GREEN of Iowa. I am glad that the gentleman has corrected me. I thought the figures were small when I saw them in the newspaper.

So it appears that already the construction program of this bill is to be supplemented. When we get these vessels built is that to be the end? No; some power will build larger and more powerful vessels, and already they are talking in England about a vessel of 57,000 tons, carrying guns 18 inches in caliber, and with a range far in excess of those carried by our vessels. So we will continue traveling this vicious circle with its ever mounting cost to which there is no limit except the bankruptcy of even such a powerful Nation as the United States.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BRITTEN. I have been following the gentleman very closely as I do not quite get his intention. Is the gentleman trying to show to the House that they are too expensive for the national defense?

Mr. GREEN of Iowa. I do not know what the gentleman means. I am trying to show to the House what the expense of this program will be.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. When you get the Navy constructed as provided for in this bill, the expense of maintenance and operation alone, without any new construction, will exceed the amount carried by the present bill.

Mr. BRITTEN. That is very true; but suppose the great plane carriers cost \$30,000,000, and that is what they will cost, the best minds of the country feel they are necessary for the national defense, and does not the gentleman think we ought to have them, irrespective of the cost?

Mr. GREEN of Iowa. I do not believe they are necessary for the national defense, but conceding that these great battle-ships are of some use, conceding it is necessary to protect them by a flotilla of cruisers, destroyers, submarines, and aircraft vessels, and so on, ad infinitum, conceding that when so protected they would be of value for the purpose of defense, I say that the ultimate and the logical conclusion of this program is nothing but bankruptcy for the most powerful nation on the face of the earth. If the people of the country fully understood what it means, there would be such a call for a convention of naval powers of the world for disarmament that it could not be resisted by this Congress.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. WINGO. Suppose we had a convention of naval powers and they agreed on disarmament, and then suppose that some one of them violated the agreement?

Mr. GREEN of Iowa. Oh, we will always have to face a contingency of that kind.

Mr. WINGO. How would the gentleman face it in a practical way? I am asking the question not in an antagonistic spirit but to get his ideas. What would be the gentleman's idea of a convention, and how could we hope to compel the parties to it to live up to it?

Mr. GREEN of Iowa. There would be no way of compelling them to live up to it, but if any started to violate it, we could renew this vicious circle of operation and construction in this country just as quickly as anywhere else.

Mr. WINGO. That would be the only hope?

Mr. GREEN of Iowa. That would be the only hope that I can see.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BLANTON. Somebody has to set the example; some one has to take the lead in disarmament. I agree with the gentleman that if he would vote as he speaks—and my friends on the Republican side of the aisle do not always do that—if they would vote as they talk, we could very quickly start something in the way of disarmament.

Mr. GREEN of Iowa. I am not undertaking to oppose the bill. What I wish to see is—

Mr. MCKENZIE. Mr. Chairman will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. MCKENZIE. The question asked by the gentleman from Arkansas [Mr. WINGO] is a very pertinent one. How could such an agreement be enforced? I want to ask the gentleman from Iowa if he does not believe that the masses of the people, for instance, in our own country, would compel Congress to respect such an agreement; and if that be so, have we not a right to assume that the masses of the people who bear the burden in the other countries would see to it that their legislative establishments would also respect the agreement?

Mr. GREEN of Iowa. I think the gentleman from Illinois has stated a very good answer to the question of the gentleman from Arkansas, but in any event, as the gentleman from Michigan stated on yesterday, if we carry out this program there will be no navy in the world superior to ours. The only country with which, I think, it is possible for us to have any conflict will have a navy only half as strong as ours. I shall not name that nation, but gentlemen can surmise the country to which I refer. So what have we to fear? Why should we be alarmed under such circumstances? If we could get an agreement with the other nations to suspend their naval construction on condition we suspend ours, why should we not—

Mr. BRITTEN. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. BRITTEN. Why impose that condition? The gentleman suggests that other nations also disarm. If the gentleman has such reliance in the peoples of the countries of the earth forcing their legislative bodies to reduce their armament, we might as well disarm now.

Mr. GREEN of Iowa. The gentleman from Illinois may address his remarks to his colleague. I decline to carry on that argument further. He is talking about something I did not say, but what another Member says. I pointed out that this country was in a perfectly safe condition now and for that reason it need have no hesitation in taking the lead of disarmament. We ought to take the lead, and I earnestly hope it will take the lead in this matter, which I regard as the most important subject in our national affairs to-day.

Mr. KELLEY of Michigan. Mr. Chairman, I just want to express the hope that we will reserve the discussion of this question of construction until we reach that item. Of course, I know the temptation to go ahead with it now is great, but we can not vote on it now, and it might be well to reach that item before beginning the debate. I am not going to object, of course.

Mr. GARRETT. Mr. Chairman—

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent that debate on this paragraph close in five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on the paragraph close in five minutes. Is there objection?

Mr. BLANTON. Reserving the right to object—

Mr. WINGO. I want five minutes.

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman when he reaches this great \$800,000,000 Navy program will the gentleman give us two and a half minutes to discuss it?

Mr. KELLEY of Michigan. I am sure we will be able to arrange time to discuss it when we reach that. I will make the request for 10 minutes.

The CHAIRMAN. The gentleman modifies his request and asks unanimous consent that all debate upon the pending paragraph and all amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT. Mr. Chairman, I have been very much interested in the remarks just made by my genial friend from Iowa [Mr. GREEN]. I have been very much interested in the discussion of the question of disarmament which has taken place in the other legislative body and in the press of the country. I do not know that I am prepared to agree with the gentleman from Iowa in his assertion that if the people of the United States could understand what this naval program means that there would be such an uprising that Congress would abandon the program.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GARRETT. Certainly.

Mr. GREEN of Iowa. The gentleman misunderstood me. I said there would be such a call upon the Congress for a convention of naval forces to consider disarmament that could not be resisted.

Mr. GARRETT. I stand corrected and will proceed upon the corrected basis. Mr. Chairman, there was a convention of the powers at Versailles in 1919 at which representatives of all the great nations of the world, following the greatest war in the history of mankind, sat down at a peace table and there entered into an agreement which was the only definite disarmament program that has ever been outlined by representatives of nations in the history of the world. [Applause on the Democratic side.] The people of this country knew of that, yet if we are to interpret the recent election as gentlemen upon the Republican side of the Chamber insist it shall be interpreted that great plan was "scrapped," and we are now told by him who was elected President of the United States that among the first movements when the Sixty-seventh Congress convenes will be one to have our country turn its back upon every part and parcel of the treaty of Versailles and enter into a separate peace with Germany and Austria-Hungary. Republicans have scrapped the only definite disarmament program ever laid before the world. How do you now hope for any convention that may be expected to go further than that Versailles convention did in the matter of providing for disarmament? What possible—

Mr. MADDEN. Will the gentleman yield for a question there?

Mr. GARRETT. I will.

Mr. MADDEN. In the face of the proposed program as submitted by the President of the United States, how does the gentleman account for the fact that the Secretary of the Navy demanded a greater Navy than we ever had before and the Secretary of War demanded 576,000 men, and it was approved by the President of the United States?

Mr. GARRETT. Because the treaty of Versailles was not ratified. [Applause on the Democratic side.]

Mr. MADDEN. Will the gentleman yield further? Does the gentleman mean to say, then, that this was a system of coercion to compel the ratification of the treaty of Versailles?

Mr. GARRETT. I do not mean to say any such a thing. Had the Versailles treaty been ratified the naval program as the department outlined it would have been unnecessary in many of its broad aspects. It was laid before the Congress—

Mr. MADDEN. On what authority—

Mr. GOOD. If the gentleman will permit, when Franklin D. Roosevelt was before the committee Mr. KITCHIN asked him the question: "Mr. Secretary, if the treaty of peace and the League of Nations is ratified, how large a navy must we have?" And Mr. Roosevelt said, "We must have the largest Navy in the world; larger than that of Great Britain."

Mr. GARRETT. But what the treaty of Versailles contemplated was that there should be a disarmament on the part of all the nations that were parties to it. [Applause on the Democratic side.]

Mr. BRITTEN and Mr. TEMPLE rose.

The CHAIRMAN. Does the gentleman yield, and, if so, to whom?

Mr. GARRETT. I yield to the gentleman from Illinois.

Mr. BRITTEN. The League of Nations is in effect, and includes every nation in the world almost—

Mr. GARRETT. Except the United States, and we, therefore, are building the biggest navy afloat.

Mr. BRITTEN. Yes; and Europe has a disarmament commission which is not effective. The gentleman says we are not in the League of Nations. Are we going to carry Europe for all time to come?

Mr. GARRETT. I do not know. But let me say that my own opinion—I do not know what it may be worth—is that if we determine to live to ourselves alone we must have a navy equal to the navies of all the rest of the world combined if the other signatory nations of the world continue in the league. [Applause on the Democratic side.] We can not otherwise be safe.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. Surely.

Mr. McKENZIE. It is true, however, is it not, that up to the breaking out of the Great War we had lived to ourselves, and did not have the greatest navy in the world?

Mr. GARRETT. Quite true; but listen—

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes. The other five minutes was reserved to me, and I will forego that.

Mr. GOOD. The time was allotted.

Mr. WINGO. Five minutes was reserved to me, and I will forego those five minutes. I ask unanimous consent that the gentleman may have that time.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent that the gentleman from Tennessee [Mr. GARRETT] be recognized for the remaining five minutes. Is there objection? There was no objection.

Mr. GARRETT. What I desired to say when I rose, Mr. Chairman, was not so much about the League of Nations. I do not care now to go into any argument about the League of Nations, but I really rose to express the belief that this disarmament convention idea that is now being held forth by such able gentlemen as my friend from Iowa [Mr. GREEN] and others does not promise satisfactory results, because you can not bring about such an agreement upon terms that will be stronger than those that were expressed in the treaty of Versailles, and that treaty, under the leadership of and by the advice of the Republican Party—if we are to interpret the election returns as they would have us interpret them—was overwhelmingly rejected by the people of these United States.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. I feel intensely gloomy for the future upon this disarmament question. Now I yield to the gentleman.

Mr. GREEN of Iowa. The gentleman is aware that the mention with reference to disarmament that was contained in the Versailles treaty was but an insignificant part of it, and had it been adopted it would have left us just where we are now. The nations would simply have to get together and agree upon it.

Mr. GARRETT. Why, certainly they would have to get together and agree upon it; but after they had agreed they would be bound by it. [Applause on the Democratic side.] What other plan can you suggest in the convention that you advocate that will not involve precisely the principle that was involved in that treaty? Surely gentlemen are not just now waking up to the fact that the disarmament feature was the biggest feature in the treaty, but—

Mr. GREEN of Iowa. The gentleman spoke as if the treaty of Versailles was going to settle the whole thing at once.

Mr. GARRETT. I did not. What I, in substance, said was that in the Versailles treaty there was the first definite program ever laid before the world by responsible statesmen looking toward disarmament.

Mr. MADDEN. And that, if the gentleman will permit, proposed that every member nation of the league would be compelled by order of the council of the league to give every power that it had within its control to the maintenance of the geographical boundary lines and the political integrity of every member nation in the league, did it not?

Mr. GARRETT. Oh, the gentleman now goes to another section of the treaty of Versailles, and if—

Mr. MADDEN. It is all involved.

Mr. GARRETT. Well, let us bring that section into the argument if it is deemed necessary by the gentleman from Illinois [Mr. MADDEN], and—

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. Certainly. I—

Mr. TEMPLE. Are those nations which did accept the treaty and are bound by the disarmament provision limiting their naval expenditure?

Mr. GARRETT. Not that I know of; nor do I believe they will or can unless this, the greatest, richest Nation in the world, becomes a party to the agreement. [Applause on the Democratic side.]

Mr. TEMPLE. Does not the treaty bind them to do that, nevertheless, on the acceptance of the treaty by only a certain part of the nations of the world? Does the treaty allow them to continue to build simply because of the fact that one nation remains out?

Mr. GARRETT. Unless the machinery contemplated by the treaty is organized and put in operation they certainly can continue to build, and the machinery will not be put in operation, as my friend from Pennsylvania [Mr. TEMPLE] certainly knows, so long as this great Nation remains out.

Mr. TEMPLE. Does the gentleman maintain that our refusal to be bound by the treaty makes it any less binding upon the nations that have agreed to it?

Mr. GARRETT. I believe that our refusal to ratify the treaty makes it impossible for our Nation or any of the other nations to disarm.

Mr. TEMPLE. You believe the treaty is dead?

Mr. GARRETT. I believe that, so far as the disarmament provision is concerned, it never can succeed so long as this, the greatest and richest Nation in the world, remains outside. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Tennessee has again expired. The Clerk will read.

The Clerk read as follows:

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS.

Navy yard, New York, N. Y.: Toilet facilities at shipbuilding slips, \$40,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order on the paragraph, that—

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. I would like to suggest to the Chair and also to the gentleman from Michigan having charge of the bill that under the heading of "Yards and docks, new construction," this bill carries nearly \$2,000,000 of brand-new construction.

Mr. BLACK. Mr. Chairman, I make the point of order that the gentleman has not stated his point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BRITTEN. I am stating my point of order.

The CHAIRMAN. The gentleman from Texas says the gentleman has not stated it.

Mr. BRITTEN. I was about to suggest to the gentleman in charge of the bill that—

The CHAIRMAN. The gentleman will state his point of order, in order that the Chair may know what it is.

Mr. BRITTEN. It is new legislation on an appropriation bill, providing for new construction at the New York Navy Yard. I desire to call to the attention of the gentleman having the bill in charge the fact that \$2,000,000 is provided in the bill for just such purposes as this—that is, new construction. We can expedite the reading of the bill if the gentleman and I can come to some agreement that these items will be taken out of the bill. [Laughter.]

Mr. KELLEY of Michigan. I do not think any such agreement is likely to be reached, because it is not subject to a point of order.

Mr. BRITTEN. Mr. Chairman, I make the point of order on the paragraph.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

Navy yard, Mare Island, Calif.: Maintenance of dikes and dredging, \$175,000; improvements to central power plant, \$150,000; in all, \$325,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order to the language on line 22, page 18, of the bill, "improvements to central power plant, \$150,000." Those improvements are new improvements, providing for the installation of 5,000-kilowatt machinery and the replacement of the building and the portions of a building now in existence. I maintain that the language is new. It is legislation upon an appropriation bill, and it is for new construction.

The CHAIRMAN. The Chair understands the gentleman to state that it involves repair of a building, improvements to a building?

Mr. BRITTEN. Not improvements to a building. There is a power plant there now. This provides for new installation, new machinery, new foundations, and it is new legislation upon an appropriation bill and properly belongs to the Committee on Naval Affairs.

The CHAIRMAN. The Chair understood the gentleman to say something about a building.

Mr. BRITTEN. This machinery, of course, has got to go into a building, but \$150,000 is provided for the building and the foundations for the mechanical equipment.

Mr. MANN of Illinois. Mr. Chairman, if there is a building there, a power plant there, and there has been no limit of cost fixed by Congress, it is quite in order to make an appropriation to improve it or to add to it or to put foundations under it or a roof over it or to put up side walls or inside walls and plaster them, as far as that is concerned.

Mr. MADDEN. And if the machinery is worn out, we can appropriate money to put in new machinery.

Mr. MANN of Illinois. If they have a plant there, and there has been no limit placed on the cost, then it is in order to appropriate for the improvement of it, as I understand it.

Mr. BRITTEN. The question arises, then, whether this is new work, or whether it is an improvement to existing work. I maintain that it is new work.

Mr. MANN of Illinois. It says "improvement." That is what the appropriation is for.

Mr. MADDEN. The gentleman admitted a moment ago that it was an improvement.

Mr. BRITTEN. Any new building in a navy yard is an improvement to the yard.

Mr. MANN of Illinois. Not always.

Mr. BRITTEN. There is no question about that.

Mr. BUTLER. Has the building been authorized?

Mr. BRITTEN. An addition to the Navy in the shape of a battleship is an improvement to the Navy.

Mr. CURRY of California. Mr. Chairman, I wish to state that the building is there, the power plant is there, that it was authorized by law, and that this appropriation is simply to keep it in repair and to do the necessary work or the necessary additions to it, that it was authorized by law, and that there was no limit of cost placed upon it.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

Navy yard, Puget Sound, Wash.: For grading, filling, and sea-wall construction, \$250,000; keel blocks for Dry Dock No. 2, \$6,500; extension of building No. 178, \$13,500; roadways and sidewalks, \$25,000; pier 5, rebuilding and extending, \$715,000; telephone improvements, \$10,000; pattern shop extension, \$90,000; 50-ton dry-dock crane, \$200,000; storehouse for ordnance, \$95,000; in all, \$1,405,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order on the language in line 24, page 18:

For grading, filling, and sea-wall construction, \$250,000—
at the Puget Sound Navy Yard. This grading, filling, and sea-wall construction is new work. It is legislation on an appropriation bill and subject to a point of order.

Mr. MANN of Illinois. Is it not a work now being carried on?

Mr. KELLEY of Michigan. Yes.

Mr. BRITTEN. Yes; they are always carrying on work at every navy yard.

Mr. MANN of Illinois. I understand. Does not the current law provide an appropriation for grading, filling, and sea-wall construction at this place?

Mr. KELLEY of Michigan. Yes.

Mr. MANN of Illinois. Is there any limit of cost fixed upon it?

Mr. BRITTEN. I am not so sure about the limitation of cost.

Mr. MANN of Illinois. Is it not a mere continuation of a public work now being carried on?

Mr. BRITTEN. Not necessarily. It provides for a continuation of the sea wall, and is intended to provide berthing space for ships which come to the Puget Sound Navy Yard. It is new construction, just as a pier or a dock would be. There are docks being constructed continually at navy yards. There are piers being constructed continually at navy yards, and they are authorized each time under current legislation as new law.

The CHAIRMAN. The Chair will state that this item—
for grading, filling, and sea-wall construction—

is in the current law. Apparently it is a work already in progress; and there being nothing to indicate that there is any limit of cost on the work, it would appear to be a continuation of a work heretofore authorized and in progress, and therefore in order; and the Chair overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make a point of order against the language at the bottom of page 18, line 25:

Keel blocks for Dry Dock No. 2, \$6,500.

It is new language. It is legislation on an appropriation bill. There is nothing carried in the current law for the present fiscal year, for keel blocks.

Mr. MANN of Illinois. The gentleman is mistaken. The present law carries \$40,000 for the same purpose.

Mr. BRITTEN. If it is an appropriation for keel blocks it is for keel blocks for a different dock entirely.

Mr. MANN of Illinois. No; it says for keel blocks for Dry Dock No. 2, if I am correct, exactly the same language.

Mr. BRITTEN. Keel blocks are a mechanical equipment that go into a yard, and the reason for this \$6,500 for keel blocks is because of the heavier vessels that go in there. It is brand new material in the shape of new equipment, and it is legislation on an appropriation bill.

The CHAIRMAN. It seems to the Chair that the gentleman's statement really indicates that this is for a dock already in existence, and to facilitate the docking of different types of vessels than those which have heretofore been berthed there, and that the appropriation is authorized, under the gentleman's own statement.

Mr. BRITTEN. Under the same theory then would the Chair maintain that a new ship could be authorized because there is a dock in which to put the ship?

The CHAIRMAN. The Chair is not aware that he has made any such ruling or anything that is analogous to that, although the Chair has made some rulings which possibly may appear to the gentleman from Illinois to be rather queer, upon the variety of subjects covered by the gentleman's points of order.

Mr. BRITTEN. I am merely offering a suggestion to the Chair, that is all.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make a point of order to the language on line 2, page 19—

Roadways and sidewalks, \$25,000—

as legislation on an appropriation bill.

The CHAIRMAN. The Chair overrules that point of order. It is not legislation.

Mr. BRITTEN. Mr. Chairman, I have a couple more points of order to make on this paragraph. On line 4, page 19—

Fifty-ton dry-dock crane, \$200,000.

It is legislation on an appropriation bill, new and unauthorized by law, and I maintain it is subject to a point of order.

Mr. MADDEN. You could not run the yard without a crane.

Mr. BRITTEN. The gentleman is entirely in error. The yard is now being run without a crane.

Mr. KELLEY of Michigan. Of course, this is a large crane, made necessary in taking the guns off the ships and putting them back on again. It is a part of the conduct of the work of the yards. It is simply an ordinary large tool for the general work of the yard.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I make a point of order against the language in line 5, page 19, "storehouse for ordnance, \$95,000." That is a new building, it is legislation on an appropriation bill, and unauthorized by law.

Mr. KELLEY of Michigan. Mr. Chairman, at all these navy yards there are storehouses. There is a storehouse at this place. Probably the most universal requirement at any of these navy yards or stations is storage. The fleet has recently been put in the Pacific Ocean. Ammunition and food supplies and various equipments both for men and ships are necessary, and it is no new activity in the yards. The Chair, of course, is familiar with the line of demarcation between providing for old and new activities. Sometimes the Chairmen of the Committee of the Whole have refused to permit a new structure in the yards when it involved a new activity. In early days, when all the heavy repairs of ships were made in private yards, dry

docks were held to be new activities and not in order on appropriation bills. But storage is made necessary from the very first moment that a navy yard is put into existence, and it is only a question of the extent of the storage to meet the requirements of the fleet and the station. The President is authorized to control the movements of ships and send them to whatever navy yard he sees fit, and he is directed by law to conserve and protect all material and supplies of every kind belonging to the Navy. He can not do this without suitable storage. Whether this is a new building or an addition to a building is of no consequence, in my opinion, for the reason that storage goes clear back to the beginning of every yard. In the West Point case provision for a schoolhouse was held to be in order because that was the fundamental purpose of the institution; also at the Naval Academy, where a dormitory was held to be in order because it was fundamentally necessary to the work of the school. It is only in those cases where the new building involves bringing in a new activity, one that had no existence before, can there be found well-considered decisions holding that provisions for new buildings are subject to a point of order on an appropriation bill.

Mr. MONDELL. Mr. Chairman, I would not take up the time of the committee in regard to this matter were it not that I feel it is quite important, as it is the first time this particular question has been raised on this bill since it has been reported from the Appropriations Committee. Clearly a new activity, a new institution, could not be provided for on an appropriation bill but must be provided for by the legislative committee. I do not have in mind now the decisions on matters of this kind, but I remember very well the character of appropriations we have been making for many years, particularly on the sundry civil bill, where we provide frequently for new buildings at armories and arsenals to care for activities going on and under way. So far as the decisions are concerned that have been made on the naval bill itself, they have been very broad. Attention has been called to the fact that even a new ship could be provided for on the bill when the naval bill was reported by the Naval Committee. That situation is modified and changed by the specific provision in the new rule. But other than the reservations in the new rule fixing the jurisdiction of the Committee on Naval Affairs, the jurisdiction remains the same as it was at the time this bill was reported by the Naval Committee. The Appropriations Committee time out of mind has been appropriating for enlarged facilities for the Army for the purpose of carrying on activities under way, enlargements, and extensions. This is not a question of establishing a new institution, not a question of providing a new activity at an institution already established. It is to provide for the ordinary growth and development of an institution long established and under way.

In this case it is a provision for storage, an essential purpose, to care for the products of the institution.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the language, "storehouse for ordnance, \$95,000." The Chair is of the opinion that the question of a new building at navy yards has up to the present time been considered somewhat differently from other activities in navy yards. Section 3758 of Hinds' Precedents holds that an appropriation for quarters, for the commandant at the navy yard was subject to a point of order, and furthermore that other new buildings provided for in appropriation bills for which there has been no specific authority have been held to be not authorized on general appropriation bills for the Naval Establishment. So upon the authority of section 3758 of Hinds' Precedents and decisions following which have been made since that time, the Chair sustains the point of order.

The Clerk read as follows:

Amendment by Mr. KELLEY of Michigan: Page 19, line 5, after "\$200,000," insert "additional storage facilities, \$95,000."

Mr. BRITTEN. Mr. Chairman, I make the point of order against the amendment that it is nothing more or less than a subterfuge, to be used instead of the language in the bill. It is intended to provide a new storehouse for ordnance, and it will carry with it \$95,000. It is legislation pure and simple on an appropriation bill.

The CHAIRMAN. The Chair, of course, does not know what the intention may be expected from the language of the amendment, and as the Chair construes the amendment it means the extension or addition to an already existing storage facility, and the language does not of itself provide for a new building, separate and apart from existing facilities. The Chair feels that this language is for an extension to an existing structure, and overrules the point of order. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

Naval station, Pearl Harbor, Hawaii: Machine shop, \$200,000; electric-system extensions, \$85,000; water-front development, \$450,000; improvements to coaling plant, \$75,000; compressed-air system extension, \$15,000; storehouse, \$200,000; in all, \$1,025,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order that the language in line 7, page 19, "machine shop, \$200,000," and to the language in line 10, same page, "storehouse, \$200,000." It is legislation on an appropriation bill and subject to the point of order.

The CHAIRMAN. The Chair will state, with reference to the machine shop, that there is an item in the current law providing for a machine shop, and would be inclined to construe this as a continuation.

Mr. BRITTEN. May I ask the Chair a question?

The CHAIRMAN. Certainly.

Mr. BRITTEN. Would the chairman feel that if one machine shop were authorized at a navy yard we could go ahead and appropriate for 40 different machine shops in different portions of the yard?

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. MADDEN. Is there anything in this language to indicate that there is going to be a new machine shop?

Mr. BRITTEN. The gentleman from Illinois knows and I know that there is to be a new machine shop.

Mr. MADDEN. I would not say so from this language. It may be for operation.

Mr. BRITTEN. It does not say so.

Mr. MADDEN. It does not say that it is a new machine shop.

Mr. BRITTEN. It is understood to be one, and if the gentleman wants my opinion on it, I will say that I know it to be a new machine shop.

Mr. MADDEN. The language would not indicate that.

Mr. BRITTEN. The language does not indicate the maintenance or operation of a machine shop.

The CHAIRMAN. The Chair would state that the language of the current law provides for \$100,000 for the continuation of a machine shop. This language does not have any limitation, and the language itself would permit the interpretation that it is to be a new structure. That being the case, of course, the Chair would be inclined, under the previous ruling, to hold it subject to the point of order.

Mr. BRITTEN. Does that also include the storehouse?

The CHAIRMAN. The Chair has not ruled on the storehouse as yet, but the Chair will sustain the point of order to the storehouse as well.

Mr. KELLEY of Michigan. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 19, line 7, after the word "Hawaii," insert "addition to machine shop, \$200,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KELLEY of Michigan. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. KELLEY of Michigan: Page 19, line 10, after "\$15,000," insert "additional storage facilities, \$200,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Naval ammunition depot, Mare Island, Calif.: Magazine and shell house, \$100,000.

Mr. BRITTEN. Mr. Chairman, I make the point of order on the paragraph, it being new legislation, unauthorized by law.

The CHAIRMAN. Does the gentleman from Michigan desire to discuss the point of order?

Mr. KELLEY of Michigan. No; I am ready for a ruling.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment by Mr. KELLEY of Michigan: Page 19, line 16, after the word "California," insert the words "addition to magazine and shell house, \$100,000."

Mr. BRITTEN. Mr. Chairman, I move to strike out the last word in opposition to the amendment. The matter now presented to the House again indicates the ridiculousness of the rule under which we are operating. The rules provided distinctly that new construction shall go to the Committee on Naval Affairs, that new ships shall go to the Committee on Naval Affairs for consideration there, and then for the provision of legislation to make that new construction effective. The Committee

on Appropriations comes in with \$2,000,000 worth of new construction unauthorized by law, and by the simple subterfuge of putting in the word "additional" the Chair is, of course, in duty bound to hold in order the language of the amendment, assuming that the amendment is submitted in good faith and that it is an addition to an existing storehouse. The Chair knows and every Member of the House, including the gentleman who offers the amendment knows, that this is not an addition to a magazine and shell house at Mare Island, but that it is a new building. The gentleman might just as consistently come in here with a proviso in a bill for eight battleships and eight battle cruisers, and call them additional ships to the Navy. The Navy is in existence, no one doubts that, just as the navy yard is in existence, and if objection is made to the committee authorizing new ships the gentleman merely replies that they are additional ships, and the Chair assumes the language to mean just exactly what it says and will probably hold in order that additional ships may be added to the Navy, because the Navy is a going concern, there are 10 or 12 or 17 battleships in the Navy to-day, and the Committee on Appropriations may reasonably come in and say, "We are going to make an addition to these battleships, we are going to authorize 4 more of them, and 6 battle cruisers are now under course of construction, and we are going to make an addition to those; we are going to add 4 more." Under the ruling of the Chair, as it is applied to-day, certainly that language will be in order. Then the condition reverts to my suggestion of yesterday, that sooner or later this thoroughly ridiculous rule under which we are attempting to legislate must be amended by the leaders of the House.

If the Republicans do not do it, some Republicans and some Democrats will, and we certainly can not operate as we are doing now. Here is brand-new legislation, never having been considered by the Committee on Appropriations as a committee. The subcommittee knows about it—part of the subcommittee knows about it. This language was in the bill when it was reported to the full committee on Thursday morning and reported out of the committee on Thursday morning, so the committee itself can have no knowledge of it; and yet by the mere addition of the word "additional" the Chair must necessarily, I suppose, hold the amendment in order. I withdraw my amendment.

Mr. BUTLER. What will the comptroller hold about it?

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Naval ammunition depot, Pearl Harbor, Hawaii: Storehouse for ammunition details, \$50,000; magazine for ignition ends, \$2,000; torpedo, warhead, and gyro storage, \$50,000; mine storage, \$75,000; in all, \$177,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order on the entire paragraph that it is new legislation on an appropriation bill, and is, I believe, subject to the point of order. Storehouse for ammunition details, \$50,000, is a new building for which plans have already been drawn. It is not a continuing construction nor a continuing structure, but a brand-new building, and I make the point of order that that language is not in order on this bill.

Mr. HICKS. Mr. Chairman, does the gentleman from Illinois make the point of order?

Mr. BRITTEN. I do; but I will reserve the point of order for the time being.

Mr. HICKS. Mr. Chairman, I would like to say a word on the matter we are now discussing, if the Chair will favor me, and I do so with due deference to the Chair. I think the gentleman from Illinois a moment ago made a very pertinent observation. If by the addition of the word "additional" to an amendment which otherwise would not be in order, such as has been proposed by the gentleman from Michigan several times, we can increase the number of buildings at our navy yards, there is absolutely no limit to what we can do in those navy yards without previous authorization; and it does not seem to me that these precedents contemplate for a moment that by the mere inclusion of the word "additional" we can do the very thing prohibited and overturn those rulings.

Now, the Chair well knows that section 3755, construction of a barrack at the navy yard; also sections 3756, 3758, and 3759 hold it is not in order to have a new building included in an appropriation bill as a continuation of public work unless authorized. We know on the Committee on Naval Affairs that those buildings here described are new buildings, separate structures, and are not additions. We have the testimony and the gentleman from Michigan himself practically admits it when he brings in a bill in the form in which this bill comes before this committee

when they stand as separate units; therefore when we put in the word "additional" it is nothing but a subterfuge to get around the provision which had been ruled out and which has been held not in order time and time again according to Hinds' Precedents. I do not desire to criticize the Chair. He is a very able parliamentarian and more familiar with the rules than myself, but I believe we are pursuing a very dangerous policy to allow an amendment to come in here and hold it in order merely because this word "additional" is placed in it.

Mr. STEVENSON. Will the gentleman yield?

Mr. HICKS. I do.

Mr. STEVENSON. Is it the purpose that an entirely new magazine shall be put where this amendment has provided for an additional magazine?

Mr. HICKS. Yes, sir; it seems so to me.

Mr. STEVENSON. Can the people who are running the Navy construction get around that? Can they, in other words, go ahead and take money that has been appropriated for an addition to a building and make an entirely new and separate magazine? Will not they be stopped there?

Mr. HICKS. I can not say. But if we are going to hold the amendments in order on this bill by putting in the word "additional" the comptroller may hold them to actual additions to existing buildings. He may interpret it, however, as new buildings.

Mr. STEVENSON. Then it will be the Committee on Appropriations determining whether they shall build a new magazine or build an addition to an old one without proper consideration in the Naval Committee?

Mr. HICKS. I think the gentleman is correct. Under this ruling it would seem logical to assume that the Appropriations Committee and not the Naval Committee will be vested with authority to determine what structures are necessary, and I doubt if this is wise or was contemplated.

Mr. BLANTON. I think we ought to stop them.

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment just offered.

The CHAIRMAN. The Chair understands this discussion is upon the point of order.

Mr. MONDELL. I rise to discuss the point of order, then, and to defend the chairman of the committee; the chairman has been criticized severely here in the last 15 minutes, and I think he is entitled to defense. We have an unusual condition, and unusual conditions require unusual remedies. The gentleman from Michigan has applied remedies that fit the case and cure the difficulties of the situation. The gentlemen who are creating the situation certainly should be the last folks to complain because remedies that will meet and cure the situation they attempt to create are applied. As far as the chairman is concerned, he is entirely right in his rulings. I remember one quite celebrated case here a few years ago where a Speaker—Speaker CLARK—when some one protested a ruling, said it was not for the occupant of the chair to attempt to read the mind or judge the intent of a gentleman offering an amendment; the Chair must decide the point of order on an amendment as it appears before him, and if the amendment is in order it is not for the Chair to say that it may have been ingeniously drawn for the purpose of making at least some reasonably satisfactory provision for a public service that could not be provided for in the way originally intended. Now, Mr. Chairman, if in discussing the point of order I may discuss the threat of the organization of a bipartisan plunderbund made here just a moment ago, I desire to do so. We have been informed that if the rules are not changed by action of the Republican majority so as to satisfy certain gentlemen, they propose to join with some gentlemen on the other side to amend the rules. Well, of course, that may be entirely proper and legitimate if gentlemen so consider it, but, Mr. Chairman, I think that gentlemen on both sides, when they reflect a bit, will realize how hopeless is their attempt to carry on successfully a backhanded and indirect attack on budget reform.

No matter what we may individually think about it, Mr. Chairman, most of the folks back home believe that we should have a budget system, and I am sure that most of the gentlemen who appeared before their constituents in the last campaign took great pride in referring to the fact that they had voted for a budget system; and without knowing the facts in each individual case I would be inclined to believe that no gentleman who voted against the budget in the last session advertised that fact extensively among his constituents during the campaign, although some gentlemen may have done so.

The country is determined that we shall have an executive budget, and the country believes that an essential part of a budget system is a single appropriating committee. I confess

I am not one of those who were early fully convinced of the necessity of a single appropriating committee as an essential part of a budget system, but I may say that so far as the results obtained, under handicaps, at this session are concerned they certainly commend the new system. No one has criticized these bills either as to their items or as to the sums they carry except those who have criticized them because they did not carry enough. No one has suggested that they were not drafted with a due regard for economy, and no one has asserted that the bills were not carefully and properly and wisely drawn. On the contrary, almost every bill that has been presented here has received commendation as to its form and as to its items and as to the sum it carried by even those who are not altogether happy under the new condition of affairs.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BRITTEN. Is the gentleman suggesting that no one on the floor objected to the Indian appropriation bill and to the Diplomatic and Consular appropriation bill?

Mr. MONDELL. Not as to the character of the items; no. I do assert that.

Mr. BRITTEN. The gentleman is entirely in error.

Mr. MONDELL. Well, there may have been one or two items that were objected to on their merits.

Mr. BRITTEN. Just one or two items? Yes; 200.

Mr. MONDELL. Yes. There were many items against which points of order were made, and the gentlemen who made the points of order—and I make no complaint about their having made them—the gentlemen who made points of order had no criticism to make of the items themselves, their character, or the sums they carried. The points were made without regard to the merit of the items.

Mr. BRITTEN. The gentleman will agree, however, that they did criticize the method of promoting that legislation in the House.

Mr. MONDELL. I am not complaining because gentlemen take extraordinary and peculiar views of their duty here, although I must say that it is very difficult for me to understand how there is a matter of principle involved in making points of order against items in appropriation bills in this Congress that some gentlemen did not raise against the same items in the last Congress. Whatever may be the facts with regard to any one of these items as affected by a point of order, they are the same to-day as they were yesterday, the same as they were last year, and as they were 5 years ago and 10 years ago. Points of order that are good now would have been good last year or the year before.

Why, Mr. Chairman, we saw this extraordinary performance yesterday. Last year a gentleman with a lively sense of the public interests offered on the floor of the House, to a bill reported by a committee of which he was a member, an amendment relative to some reports as to the amount of gasoline consumed, and the House was so well disposed toward the amendment that, although subject to a point of order, nobody thought of raising it.

They were all working in the public interest here in the Committee of the Whole, and they accepted it, and no doubt thanked the gentleman for offering it. But this year the same gentleman who offered that amendment last year, when it was subject to a point of order just as much as it is to-day, strikes it from the bill—in the defense of a principle!

Mr. BANKHEAD. Would the gentleman mind refreshing our recollection as to who that gentleman was? [Laughter.]

Mr. MONDELL. Well, the gentleman from Alabama is here most of the time, and I am sure he is quite well informed as to what has occurred.

Now, Mr. Chairman, referring again definitely and specifically to this point of order—

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CONNALLY. Which side of the point of order is the gentleman on? [Laughter.]

Mr. MONDELL. I am arguing that the committee's amendments are in due and proper form, and am also arguing that the Chair is ruling justly and righteously according to the rules of the House and in the interest of the public business; and if the manner and style of the amendments do not please certain gentlemen, that can all be remedied by their withholding points of order on items which they themselves approve.

The CHAIRMAN. The gentleman from Illinois makes a point of order on the paragraph. The Chair desires to state that in accordance with the language of the precedents and previous rulings, similar items on this bill heretofore have been declared subject to a point of order, and the Chair sustains the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan: Page 19, line 18, after the word "Hawaii"—

The CHAIRMAN. The Chair will state that the entire paragraph went out on a point of order.

The Clerk read as follows:

Page 19, line 18, after the word "Hawaii," insert "For additional storage facilities, \$177,000."

Mr. BLANTON. Mr. Chairman, I ask for recognition on the amendment.

Mr. BRITTEN. Mr. Chairman, I offer a substitute. I offer an amendment to the amendment.

The CHAIRMAN. The Chair believes the amendment has not been reported in just the accurate shape that is desired.

Mr. BRITTEN. I desire to send an amendment to the Clerk's desk.

Mr. KELLEY of Michigan. The title should be added at the beginning.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to modify his amendment by inserting the title.

Mr. KELLEY of Michigan. It should be, "Naval Ammunition Depot, Pearl Harbor."

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Michigan as modified.

The Clerk read as follows:

Modified amendment offered by Mr. KELLEY of Michigan: Page 19, after line 16, insert "Naval Ammunition Depot, Pearl Harbor, Hawaii: For additional storage facilities, \$177,000."

Mr. BLANTON. Mr. Chairman, this amendment is made necessary by the sustaining of a point of order made by the gentleman from Illinois [Mr. BRITTEN]. I dislike incidentally to defend a Republican from Illinois, but I think it is necessary by reason of the speech made a moment ago by the majority leader attacking him. The gentleman from Illinois and everybody else is in favor of a correct, proper budget system. It is the only way to save money for the Government. We are all in favor also of this new rule, if adhered to, which makes all legislation come from a legislative committee and which makes all appropriations come from the Committee on Appropriations. What the gentleman from Illinois is trying to do and what others are trying to do is to uphold the gentleman from Wyoming in having a proper budget system and in having a proper administration of this new rule which makes appropriations come only from an appropriating committee. What we are after is to sustain the committee when the appropriate committee cuts off an appropriation of thousands of dollars—for instance, one item of about \$37,000 for feeding the elk out in Wyoming. The committee cut out that item, and just as soon as they cut out that \$37,000 for elk feeding in Wyoming the gentleman from Wyoming [Mr. MONDELL] came back in here and had thirty-seven conniption fits and said, "You have got to put it back," and he took the floor and castigated everybody in here until he got that back, and he got his \$37,000 for his elk feeding out in Wyoming.

Then the Secretary of the Interior sent the land commissioner before one of these committees and said, "It is all foolishness to carry these 13 surveyors general of land offices out in the various States," one of which was in Wyoming. He said, "Let us cut that out," and he sent the word to the gentleman from Wyoming [Mr. MONDELL], "Let us stop this foolish expenditure and waste of the people's money," and the gentleman from Wyoming did not understand at the time that it affected a great surveyor general out in Wyoming, so he made a speech of less than an hour before the committee, saying, "You have got to apply the snicker-snee to these appropriations and cut them down," and the committee, acting on his advice, cut out those 13 surveyors general, and then the distinguished majority leader came back here on the floor and threw thirteen more conniption fits and said, "You have got to put back my surveyor general. I am not going to lose all this money spending in Wyoming. You have got to put that item back." So back into the bill went the 13 surveyors general. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment.

Mr. BRITTEN. I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BRITTEN to the amendment offered by Mr. KELLEY of Michigan: At the end of the Kelley amendment insert: "Provided, That no part of this appropriation shall be used in the construction of a new building or buildings."

The CHAIRMAN. The question is upon the amendment to the amendment.

The question being taken, on a division (demanded by Mr. KELLEY of Michigan) there were—ayes 15, noes 26.

Accordingly the amendment to the amendment was rejected.

The CHAIRMAN. The question is upon the amendment of the gentleman from Michigan [Mr. KELLEY].

The amendment was agreed to.

The Clerk read as follows:

Naval operating base, Hampton Roads, Va.: Motor generator set, \$20,000.

Mr. MANN of Illinois. Mr. Chairman, I suggest that the Clerk correct the spelling of the word "Virginia" in that paragraph.

The CHAIRMAN. The gentleman asks unanimous consent to correct the spelling of the word "Virginia" in the paragraph just read. Is there objection?

There was no objection.

The Clerk read as follows:

Submarine base, Coco Solo, Canal Zone: Grading and drainage, \$40,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order to the language on page 20, line 5—

Grading and drainage, \$40,000.

That is for the submarine base at Coco Solo. It is new legislation on an appropriation bill.

Mr. KELLEY of Michigan. Mr. Chairman, we have a submarine base at that point, and this is an item to take care of an ordinary improvement, for drainage necessary for the preservation of the health of the men who are stationed there.

Mr. MANN of Illinois. Do we own a submarine base at this place?

Mr. KELLEY of Michigan. Yes; we have quite an establishment there.

Mr. BRITTEN. Is it authorized by law?

Mr. KELLEY of Michigan. It is in existence.

Mr. MANN of Illinois. Is there any limit of cost upon it?

Mr. KELLEY of Michigan. No limit of cost, that I know of.

Mr. BUTLER. Mr. Chairman, we are not criticizing any of these items. I have not been taking any part in this. But does not the gentleman from Michigan think the time has been reached when we might cut off some of these stations? I have had no communication with my friend recently on this subject, but our views used to be much alike. We have 78 places on the land already for the Navy.

Mr. KELLEY of Michigan. I think the chairman of the Naval Committee will agree with me that if there is any place where a submarine base may be maintained with propriety it is at the canal.

Mr. BUTLER. That is true.

Mr. KELLEY of Michigan. This is for the protection of the canal, and the station there has been established under authority of law. This is simply for grading some ground and improving the station on land already owned by the Government. It is to preserve the health and prevent the spread of disease at this important post.

Mr. BRITTEN. I should like to suggest to the chairman of the committee that there is nothing in current legislation for this submarine base. This is new language, entirely new legislation on an appropriation bill.

Mr. MANN of Illinois. Mr. Chairman, if the Chair will pardon me for taking a moment, I am not sure that I would have ruled in the way the Chair did on the question of the additional storage facilities; but the rulings have been quite uniform that you could not provide in an appropriation bill for a new building without previous authorization of law. Where you have a building in existence, owned by the Government, you can provide for its improvement or for additions to it. Where you have land you can provide for the purchase of additional land adjoining, although you can not provide in the appropriation bill for a new building upon the land. If the amendment had been for an addition to a storehouse, clearly it would have been in order. The Chair construed the language "additional storage" as an addition to an existing storehouse, though I do not think that it will be so construed when it is applied anywhere else. However, in this case, if the Government has a submarine base and it owns the land in this place, it seems to me quite in order to provide for an improvement of the land; not for an improvement in the way of new buildings placed on the land, but for an improvement of the land itself. The distinction has

been made so frequently in a line of decisions on that subject running back so far that it is quite clear to me.

Mr. BRITTEN. I would like to suggest to the Chair that no money has heretofore been appropriated for a submarine base at Coco Solo. It is new legislation pure and simple, appearing for the first time in this bill, and therefore I maintain it is subject to a point of order.

The CHAIRMAN. Does the gentleman from Illinois contend that the Government does not own this land?

Mr. BRITTEN. I do not know any law or legislation that appropriated for a submarine base at Coco Solo.

Mr. KELLEY of Michigan. I want to read a bit of testimony in reference to this point which will clear up any doubt as to the facts. On page 391 of the hearings Admiral Parks, in answer to a question of mine about this submarine base at Coco Solo, said:

Mr. KELLEY. The next item is "Submarine base, Coco Solo, Canal Zone: Grading and drainage, \$44,000." What about that, Admiral?

Admiral PARKS. The mosquito proposition is very bad down there, and there was something like a \$500,000 proposition sent up here two years ago for grading and filling, and finally they have gotten to an amount for draining that they think will take care of it for about \$80,000, of which we pay half and the Army pays half.

Mr. KELLEY. Of course, we will need to keep a well-organized submarine base at Coco Solo, and we want to take care of the health of the men. This is necessary for the health of the men?

Admiral PARKS. I consider it so.

The CHAIRMAN. The Chair would like to know if the Government owns this land.

Mr. KELLEY of Michigan. The Government owns the land, there is no doubt about that. My understanding is that this station was built out of the naval emergency fund provided during the war. This fund contains this language:

To enable the President to secure a more economical and expeditious delivery of material, equipment, and munitions, and to secure a more expeditious construction of ships authorized, and for the purchase or construction of such additional torpedo-boat destroyers, submarine chasers, and such other naval small craft, and for each and every purpose connected therewith, as the President may direct, to be expended at the direction and in the discretion of the President, \$100,000,000.

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

Submarine base, Pearl Harbor, Hawaii: Additional piers, \$100,000; battery-charging installation, \$50,000; in all, \$150,000.

Mr. BRITTEN. Mr. Chairman, I make a point of order to the entire paragraph. It is legislation on an appropriation bill, and is subject to a point of order. The language is new and does not occur in the naval appropriation bill for the current year, and therefore I contend it is subject to the point of order.

The CHAIRMAN. Does the gentleman contend that because it is not in the current appropriation bill that it is subject to the point of order?

Mr. BRITTEN. Oh, no; but these additional piers are to provide berth space for ships. If the Chair maintains that my point of order is not well taken, they can go ahead and construct several million dollars' worth of new piers. Additional piers provide additional berth space, and it is just as new as new construction. It is just as new as a new building. The battery-charging installation is also new installation.

Mr. MANN of Illinois. Mr. Chairman, the Chair rules on the point of order that is made. My colleague makes the point of order that this is new legislation not authorized by law. I submit to the Chair that that is not the case, and that is the only point of order that is pending.

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

Pay of the Navy: Pay and allowances prescribed by law of officers on sea duty and other duty and officers on waiting orders, \$37,023,859; officers on the retired list, \$3,113,771; commutation of quarters for officers, including boatswains, gunners, carpenters, sailmakers, machinists, pharmacists, pay clerks, and mates, naval constructors, and assistant naval constructors, \$4,254,192, and also members of Nurse Corps (female), \$1,000; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$25,000; pay of enlisted men on the retired list, \$620,250; extra pay to men reenlisting under honorable discharge, \$4,390,800; interest on deposit by men, \$10,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, and pay of enlisted men of the Hospital Corps, \$72,421,647; pay of enlisted men undergoing sentence of court-martial, \$655,000; and as many machinists as the President may from time to time deem necessary to appoint; and apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, \$2,294,136; pay of the Nurse Corps, \$688,608; rent of quarters for members of the Nurse Corps, \$29,000; retainer pay and active-service pay of members of the Naval Reserve Force, \$7,000,000; payment of

\$60 discharge gratuity, \$465,000; reimbursement for losses of property under act of October 6, 1917, \$10,000; payment of six months' death gratuity, \$200,000; in all, \$133,202,263; and the money herein specifically appropriated for "Pay of the Navy" shall be disbursed and accounted for in accordance with existing law as "Pay of the Navy," and for that purpose shall constitute one fund: *Provided*, That retainer pay provided by existing law shall not be paid to any member of the Naval Reserve Force who fails to train as provided by law during the year for which he fails to train.

Mr. BRITTEN. Mr. Chairman, I make the point of order against the paragraph. At the foot of page 22, line 25, for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$25,000.

That is legislation on an appropriation bill not authorized by law. It was first added to the naval appropriation bill in 1916 and is legislation pure and simple. I maintain it is not authorized by law.

The CHAIRMAN. The Chair would like to ask the gentleman what is the legislation?

Mr. BRITTEN. Providing for quarters for officers, serving under certain conditions with troops, is the legislation.

Mr. MANN of Illinois. Mr. Chairman, my recollection is that the law provides that officers shall be furnished quarters or commutation for quarters at certain fixed rates; it provides quarters for officers of different rank, a different number of rooms, and for commutation where quarters are not furnished. I do not remember now whether this item provides for commutation, but I think it does.

Mr. BRITTEN. This is not for commutation, but for the hire of quarters in lieu of commutation.

Mr. MANN of Illinois. It says—
where there are not sufficient quarters possessed by the United States to accommodate them, or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops.

That provides for the hiring of quarters or commutation of quarters. The law provides that the officers shall receive quarters in kind, or if they are not furnished, he shall receive commutation of quarters. Apparently that is what this does.

The CHAIRMAN. The gentleman from Illinois makes the point of order upon the language beginning in line 25, page 22, with the word "for," down to and including the word "uninhabitable," in line 9, page 23. The Chair finds that there is provision of law for commutation of quarters for officers, and also a provision when quarters are not available, and this language seeks, apparently, to make an appropriation to carry out the authority to incur the expenses under the provisions of existing law.

Mr. BRITTEN. Do I understand the Chairman to say that there is provision of law for the hiring of quarters?

The CHAIRMAN. For the hiring of quarters or the commutation of quarters. Then there is a provision that the Secretary of the Navy may determine where and when there are no public quarters available for persons in the Navy and Marine Corps within the meaning of acts or parts of acts relating to the assignment of quarters or the commutation therefor.

Mr. KELLEY of Michigan. Mr. Chairman, I might add to what the gentleman has already said that undoubtedly this language was carried originally when officers on sea duty did not get commutation of quarters, but under more recent legislation they do, and the language now becomes mere appropriating language.

Mr. BRITTEN. But the gentleman recollects since he has been in Congress that this legislation was added in order to meet new legislation put on an Army appropriation bill and give the naval officer the same allowance that is given to the Army officer.

Mr. KELLEY of Michigan. The Chair is right in stating that this language put in here is simply to direct the proper officers to make payments authorized by law.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BRITTEN. Mr. Chairman, I have another point of order I desire to make. I make the point of order to the language in line 3, page 24, contained in the proviso—

Provided, That retainer pay provided by existing law shall not be paid to any member of the Naval Reserve Force who fails to train as provided by law during the year for which he fails to train.

Mr. MANN of Illinois. Mr. Chairman, there are two ways of looking at that proviso. One way is as to whether it only applies to the appropriation in this bill and is a mere limitation.

The other is whether it is legislation regardless of this bill. If it is legislation of course it is probably unnecessary, because it has been carried in the law for a long time, and it is the law. It has been assumed, however, that the word "hereafter" not being carried, although the language might indicate it is legislation, would indicate that it only affects the appropriations carried in the bill for the current fiscal year for which the appropriation is made. If that is the case, of course it is only a limitation.

Mr. KELLEY of Michigan. Mr. Chairman, if the Chair is in doubt about it, we can put the language in a form which will not require a ruling.

The CHAIRMAN. The Chair thinks that although the proviso refers to a provision of existing law, it can only be construed as applying to the act in which it will be found when this bill becomes a law. The Chair overrules the point of order.

Mr. ANTHONY. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question for information in regard to the item of \$7,000,000 for retainer pay. Is that the pay of the men in the reserve of the Navy?

Mr. KELLEY of Michigan. Yes.

Mr. ANTHONY. What pay do the men get in the Naval Reserve?

Mr. KELLEY of Michigan. They get pay for 3 months' training during the 4 years of their enlistment, and then in addition to that they get 2 months' pay for each year that they serve, making, for the 4 years' enlistment, 11 months' pay.

Mr. ANTHONY. It occurs to me that is rather a large sum to pay men who are simply in the reserve. Does not the gentleman think it is liable to run into a pretty large sum of money if we build up a Naval Reserve and have to pay them a salary for going into the reserve?

Mr. KELLEY of Michigan. The committee fixed the sum of money for paying the reserve very conservatively upon the theory that it would force the administration of the fund in the strictest sort of fashion. When the estimates originally came down, they ran into something like \$19,000,000. Later on the department thought it might be as high as \$14,000,000. After considering the situation further they decided that possibly \$10,000,000 would be all that would be required. As the reserve gets further away from the war, undoubtedly the disposition to drill and train and to meet the requirements will grow less and a great many men will drop out. This amount was fixed by the committee as a notice, in a way, to the department that this fund must be administered with great strictness. We did not have authority, of course, to change the law.

Mr. ANTHONY. I notice a provision at the end of the paragraph, a saving clause, to prevent the payment of this retainer to men who do not actually train. It occurs to me that every man who by reason of service in the Army or the Navy is qualified to enter the Army or the Navy in time of war ought to go into the reserve of either service from patriotic motives and not because of the pay we give him. My attention was called to that by a letter I got from the Navy Department a few days ago. A man in my district in the Naval Reserve received the sum of \$895 retainer pay.

Mr. KELLEY of Michigan. He must be an officer.

Mr. ANTHONY. Class 1 C.

Mr. KELLEY of Michigan. He must have been an officer.

Mr. ANTHONY. While I do not desire to make any comparison with the Army, the Army has 65,000 officers qualified in its reserve to-day that do not cost us a single cent except for administration in the department and keeping in touch with them by means of letter and things of that kind.

They are only paid if they are called out for training and actual duty, and I could not see the logic of paying a man in the Naval Reserve simply two months out of a year, or whatever it is, for staying at home and drawing down \$895.

Mr. KELLEY of Michigan. I agree with the gentleman from Kansas most thoroughly as to this item. I think the Naval Reserve idea is an excellent idea, but I have some fear that the present law, unless administered with great strictness, will simply mean that the Government will be paying for summer outings in certain cases.

Mr. ANTHONY. I was in hope the gentleman in charge of the naval bill would make it so every man who served in the Naval Reserve—

The CHAIRMAN. The time of the gentleman has expired.

Mr. KELLEY of Michigan. I ask that the gentleman may have five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ANTHONY. I was in hope it would be made possible that the men would only go in the Naval Reserve from motives of patriotism and not for the purpose of receiving this pay.

Mr. KELLEY of Michigan. Of course, the gentleman will realize that the Committee on Appropriations was not in a situation to make any change in the law, and so the only way we could force economy along this line and more strict administration of the law in the matter of training and drills was to limit the amount which we thought would practically force that result.

Mr. BUTLER. Of course, my friend knows that these figures are mounting up and that the pay of these officers goes into the hundreds of dollars. I had hoped that the starvation rule would be applied and that a limitation of some kind would be placed on them. Ten or twelve millions of dollars is too much money to pay to these reserves, as I think my friend will agree.

Mr. KELLEY of Michigan. The Secretary of the Navy in discussing the matter felt there ought to be a limitation as to the number of men to be provided for in the Naval Reserve. But there was much uncertainty about it, not knowing how many men there would be in the course of another year. I think that the chairman of the Committee on Naval Affairs, agrees with me that perhaps the best course to pursue is to let it run along for another year and watch the results.

Mr. BUTLER. We agree it needed administration, I will say to the gentleman from Michigan: A great many of these—

Mr. KELLEY of Michigan. But the amount carried in the bill forces the department to exercise the keenest vigilance.

Mr. BUTLER. Some men get a large sum of money for almost no service.

Mr. KELLEY of Michigan. But the amount carried will force a close economy.

Mr. BRITTEN. My impression is, if the gentleman will yield for a moment, that the pay now given to Army officers and men is a little larger than the pay given at least to the men in the Navy, and probably to the officers.

Mr. ANTHONY. On active duty?

Mr. BRITTEN. I mean in the reserve. We were told that a national guardsman, for instance, could get three months' pay after he had gone through his encampment and his drills; the number of drills per annum which I believe is 30 drills in one year of one and a quarter hours' drill, if I am not mistaken.

Mr. ANTHONY. That is the regular pay of a national guardsman.

Mr. BRITTEN. In reserve?

Mr. ANTHONY. He is on active duty as a guardsman all of that time. The instance I called to the attention of the chairman is that a Kansas farmer who has done no duty since October 8, 1918, yet pulls down \$895 from the Navy Department. It looks to me as if it were a pretty soft thing.

Mr. BRITTEN. My impression is that he pulls down a dollar a month.

Mr. ANTHONY. He pulls down \$895.

Mr. BRITTEN. He has to be confirmed as a Naval Reserve officer.

Mr. KELLEY of Michigan. That might happen in this way: They get two months' pay, retainer pay, and if they train they get three months' pay during the four years, so at some particular time he may have gotten the amount the gentleman stated.

Mr. MANN of Illinois. A gentleman sitting right close by me—I am not looking in his direction and will not tell who he is—tells me that a clerk of his, or somebody closely connected with his association, has just received a check for \$500 from the Navy for doing nothing.

Mr. BRITTEN. I think that the gentleman is in error when he says he was paid \$500 for doing nothing. He could not get \$500 until he is confirmed in the Naval Reserve Force, and he could not get confirmed until he went through the summer cruises and drills and qualified. If he was paid for doing nothing, of course, he was paid in violation of the law.

Mr. KELLEY of Michigan. The testimony which the committee took—and I think Mr. BUTLER, chairman of the Naval Committee, will bear me out in this—rather tends to show that this matter of the Naval Reserve has not thus far reached the point where it is being administered with great care. A good many people have been confirmed who probably will not render very much in the way of service; and, while the service is an excellent one, it is easily one that can become very lax unless administered with great care by the department.

Mr. BUTLER. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUTLER. It will not be necessary to expend this money. The Secretary of the Navy need not spend this money. I agree with the gentleman from Michigan. I hardly know what to

suggest. It is not very large, it is true. The gentleman from Illinois made a statement a moment ago about this matter, and that is not the only case. Some of these men are getting large sums of money, and yet I do not believe they are rendering any service for it. I had hoped the gentleman from Michigan [Mr. KELLEY] would remain with us to make an effort to reserve a small sum of money for active service when engaged on the sea. We will turn our attention to that a little later, and then maybe this sum will disappear.

But I want to ask the gentleman from Michigan a question. What did you do about the naval districts? I would like to see them go. Did you make any appropriations for any more of them? They are down to three now, I believe.

Mr. KELLEY of Michigan. The naval districts are a matter of administration.

Mr. BUTLER. I have a little bill here now to wipe them out.

Mr. KELLEY of Michigan. I do not think any money should be expended for maintaining separate naval districts. Such an amendment might be offered, and if it were, I would not have any objection to it.

Mr. BUTLER. Will not the gentleman put on such an amendment? It will save \$250,000 or \$275,000 a year in clerk hire.

Mr. KELLEY of Michigan. Inasmuch as it effects more or less a change of policy, I thought probably it would be better for the gentleman from Pennsylvania to put it on.

Mr. BRITTEN. But the gentleman did not hesitate to violate that rule as a matter of policy elsewhere in the bill.

Mr. KELLEY of Michigan. I have not attempted new legislation.

Mr. BUTLER. Let me suggest to the gentleman that in the meantime it can go over, and the consideration of this bill can go on.

Mr. KELLEY of Michigan. In fixing the amount of "Pay, miscellaneous," we did take this out.

Mr. MANN of Illinois. That can be offered from the Committee on Naval Affairs.

Mr. KELLEY of Michigan. I would be glad if the gentleman from Pennsylvania would offer it.

Mr. BLANTON. Why does not the gentleman offer it?

Mr. BUTLER. This is not the proper place to offer it.

Mr. KELLEY of Michigan. It comes under "Pay, miscellaneous." If the gentleman would like to do it, I will ask unanimous consent to return to that paragraph.

Mr. BLANTON. Do it now.

Mr. BUTLER. I would like to say as strongly as I can that I would like to see this money saved.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield for a question?

Mr. BUTLER. Yes.

Mr. BRITTEN. Are there not a number of just such items as this embodied in the legislative bill now on the calendar and reported by the Committee on Naval Affairs, of which the gentleman is chairman?

Mr. BUTLER. Yes; and unanimously agreed to.

Mr. BRITTEN. Should not this also be passed upon by the House?

Mr. BUTLER. There are three sections in the beginning of that bill that will save \$320,000,000, perhaps. That is, there will not be a deficiency bill brought in to cover them.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KELLEY of Michigan. I was about to say to my friend from Pennsylvania [Mr. BUTLER] that undoubtedly a special session will be called shortly after the 4th of March, and then, no doubt, there will be ample opportunity given to pass a legislative bill, when the matter can be taken care of, unless you prefer to put it in this bill at the proper point.

Mr. BUTLER. I have been guilty of asking the House on many occasions to legislate on an appropriation bill, and I can see the advantage of having the provision incorporated in this bill, unless the gentleman is sure there is some other item from which the department can pick up \$250,000 or \$275,000 to pay clerks in these naval districts. You might as well throw the money out on the road.

Mr. BRITTEN. Does my friend expect to get any legislation for the Navy from the Committee on Naval Affairs during the next five or six months, or does he think that is impossible under the existing rules?

Mr. BUTLER. I will say to my friend that I think some day the House of Representatives will listen to us. We have a lot

of good measures that are helpful and useful. Whether they will become laws or not I do not know.

Mr. KELLEY of Michigan. Will this meet the gentleman's approval: "Provided, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall also be the commandant of a navy yard or naval training station or operating base?"

Mr. BUTLER. I think that would cover it.

Mr. BLANTON. I ask unanimous consent, Mr. Chairman, that the gentleman may return to page 3 of the bill, to which the amendment would be applicable.

The CHAIRMAN. The gentleman from Michigan has the floor.

Mr. KELLEY of Michigan. Mr. Chairman, I will ask unanimous consent for the same purpose.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to return to page 3 of the bill in order to enable him to offer an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan: Page 3, line 15, after the word, "expenses" insert: "Provided, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall be also the commandant of a navy yard, or naval training station, or naval operating base."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I have an amendment that I desire to offer to page 24, line 9.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: On page 24, line 9, after the word "train," strike out the period and insert a colon, and add the following: "Provided, however, That when any enlisted man under 18 years of age is discharged on the ground of minority he shall be paid all salary due him, shall be granted an honorable discharge, and furnished with travel allowance to his home."

Mr. KELLEY of Michigan. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Michigan reserves a point of order on the amendment.

Mr. BLANTON. Mr. Chairman, this is a provision for the naval bill similar to that which was attached by amendment to the Army appropriation bill with respect to enlisted men in the Army. The distinguished chairman of this subcommittee indicated to me that he would not have objection to such an amendment going on the naval bill, so as to place the enlisted men in the Navy on an equality with men in the Army, and I feel sure that he will not make a point of order after that assurance. There is no reason why the enlisted man in the Navy should not get the same treatment as the enlisted man in the Army. There were lots of young fellows from my district, some 15, some just 16, and some of them not quite 17 years old, who ran away from home and enlisted in the Navy under the influence of the advertisements that have been placed all over the country stating that our two great fleets were going to travel all over the world and that a fellow would have a chance to see the whole world. These boys enlisted against their parents' consent, and now when their parents seek to have them sent home, they are confronted with the threat, "Yes; we will discharge you if you insist on it, but we will grant you a discharge that is not honorable; you will forfeit all your pay and we will turn you loose with no travel allowance and let you get home the best way you can," when some of them are one or two thousand miles from home. It is an awful injustice to these boys and an awful injustice to their fathers and mothers. There are just as many boys in the district of every one of my colleagues affected as there are in my own district, and this affects the fathers and mothers in your districts just like it affects the fathers and mothers in my district.

It is not so much a matter of the pay which they have earned, although they ought to be paid. That is not the big thing. It is the stigma of a discharge that is not honorable which these young men will have to carry all the rest of their days. That is the thing that is important, and I hope that no Member will make a point of order against this amendment.

Mr. MADDEN. I make a point of order against the amendment, on the ground that it is not germane to the paragraph to which it is offered.

Mr. BLANTON. It is subject to a point of order.

Mr. BYRNES of South Carolina. And it exceeds the jurisdiction of the committee.

Mr. BLANTON. I hope there are a bunch of these young men from Chicago.

Mr. MADDEN. That is all right. The gentleman does not need to make any threat about that. I will take care of myself. The amendment is not germane to the paragraph and not germane to anything in the paragraph. It deals with the discharge of men, and the paragraph deals with their pay. Besides, it is new legislation and not in order on an appropriation bill.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Maintenance, Bureau of Supplies and Accounts: For fuel; the removal and transportation of ashes and garbage from ships of war; books, blanks, and stationery, including stationery for commanding and navigating officers of ships, chaplains on shore and afloat, and for the use of courts-martial on board ships; purchase, repair, and exchange of typewriters for ships; packing boxes and materials; interior fittings for general storehouses, pay offices, and accounting offices in navy yards; expenses of disbursing officers; coffee mills and repair thereto; expenses of naval clothing factory and machinery for the same; laboratory equipment; purchase of articles of equipment at home and abroad under the cognizance of the Bureau of Supplies and Accounts, and for the payment of labor in equipping vessels therewith, and the manufacture of such articles in the several navy yards; musical instruments and music; mess outfits; soap on board naval vessels; athletic outfits; tools, ferriages, yeomen's stores, safes, and other incidental expenses; labor in general storehouses, paymasters' offices, and accounting offices in navy yards and naval stations, including naval stations maintained in island possessions under the control of the United States, and expenses in handling stores purchased and manufactured under "General account of advances," and the accounting officers of the Treasury are authorized and directed to credit "General account of advances" with the amount of the net losses which may be certified by the Paymaster General of the Navy as having been incurred in disposing of excess stocks in the naval supply account; and reimbursement to appropriations of the Department of Agriculture of cost of inspection of meats and meat-food products for the Navy Department: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for chemists and for clerical, inspection, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the fiscal year ending June 30, 1922, shall not exceed \$3,500,000; in all \$9,000,000.

Mr. WINGO. Mr. Chairman, I move to strike out the word "purchase," in line 21, page 25.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WINGO: Page 25, line 21, after the word "ships," strike out the word "purchase."

Mr. WINGO. Mr. Chairman, I should like to ask the chairman of the committee what restrictions, if any, there are in the bill with reference to purchasing new typewriters?

Mr. KELLEY of Michigan. There are no restrictions that I know of.

Mr. WINGO. Should there not be some restrictions? I should think you would want to require them to procure their typewriters from the General Supply Committee.

Mr. KELLEY of Michigan. I do not imagine that there will be any new typewriters bought under this language.

Mr. WINGO. Then why authorize them to buy new ones? Did the gentleman from Illinois suggest that there were no new ones on hand?

Mr. MADDEN. I said they were no good. Those that have been transferred to the different departments and those that have been sold to Members of the House are no good.

Mr. WINGO. Are all the new ones gone?

Mr. MADDEN. They are not worth sending, and you can get a new typewriter by paying \$10 extra in exchange for the old one.

Mr. WINGO. I thought that was true. As a matter of fact, they do not appreciate the restrictions that Congress has put on this typewriter business, so that when the Clerk of this House tries to get a typewriter for a Member of Congress he gets something that is not worth having. Now, the thing I protest against—

Mr. KELLEY of Michigan. Before the gentleman commits himself too far, let me state—

Mr. WINGO. Of course, I appreciate the friendship of my friend, and if I am in danger, I yield to him.

Mr. KELLEY of Michigan. Let me answer a little more in detail the first part of the gentleman's question. There are certain kinds of special typewriting machines necessary for the work of the bureau, wide-carriage machines, that probably would have to be purchased. If this word "purchase" were stricken out they might not be able to meet the demand for that sort of service.

Mr. WINGO. I got a letter from one branch of the Navy Department this morning, and when I read it I could not conceive that any human ingenuity could have constructed it. I think it must have been that one of these special machines went off by itself and constructed it.

But this is what I want to call attention to: The Republicans continue to send out campaign stuff, even after the campaign is

over. I have one of their interesting stories that they sent to a Republican newspaper in my district. It stated that there were literally thousands of brand-new typewriters lying in junk heaps down here in Potomac Park. Now, if you have thousands of new typewriters lying out in the park, exposed to the weather, I wish some of my Republican brethren would tell me where they are and I will go get one of them and take the risk of being prosecuted; because if I am I will call the gentleman from Illinois [Mr. MADDEN] to prove that at the most it would be nothing more than petit larceny, because the machine would not be of sufficient value to make it grand larceny. [Laughter.]

I think we ought to put the same restriction on the Navy Department that we put on the War Department, and let them procure their supply from these surplus thousands that our Republican friends told the country were lying here in Washington. One Republican said there were 2,000,000 of them, but I think he admitted afterwards that that was a slip of the typewriter and that there were too many naughts, and that the number was 200,000 instead of 2,000,000. Later, I am told, they admit that there were just 11,000.

Mr. KELLEY of Michigan. There is a great surplus of typewriting machines.

Mr. WINGO. Why not use those before buying more?

Mr. KELLEY of Michigan. It is only an occasional special typewriter for some particular use in bookkeeping that would be purchased. I do not think there will be any expenditures for new typewriters of the ordinary sort.

Mr. WINGO. Have they got so that they use modern methods in bookkeeping?

Mr. KELLEY of Michigan. In all the navy yards they have use for these particular styles of typewriters that are used for bookkeeping.

Mr. WINGO. Now, the gentleman must not misunderstand me; I never put any faith in the Republican story; we all know that they proceeded on the theory that they could not tell when the war would cease. A good many intelligent people have been fooled by this bunkum story of 2,000,000 typewriters. Nobody would ever believe that except that in political times, to use the slang expression, they "get all het up."

Mr. STEVENSON. Mr. Chairman, I rise in opposition to the amendment. If there is anything in this story about the number of new typewriters, I think it is the duty of the committee to supply everybody who wants a typewriter. We ought to turn the Clerk of the House loose and let him get at them. I have been endeavoring to get a typewriter that is of practical use in my office for a week. The Clerk of the House always tells us that he can only give me a poor second-hand typewriter. I have no criticism to make of the clerk. He has had his agent trailing back and forth with one after another and finally I got one that will work two or three days in the week if I can get some one to run it. If there are a lot of new good typewriters, we ought to let the Clerk of the House have a chance to get one and not let these departments run away with all the money they want to get new ones.

Mr. WINGO. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. WINGO. If the gentleman wants to know how to get a new typewriter, I will tell him. He wants to apply to a gentleman by the name of Clarence Miller or an old gentleman by the name of Jonathan Bourne, who used to be in the Senate, but now is official morgue keeper of the Republican Party.

Mr. STEVENSON. I am not on speaking acquaintance with graveyard people, either Republicans or Democrats. I only run with live ones. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken; and, on a division (demanded by Mr. Wingo) there were—ayes 9, noes 26.

So the amendment was rejected.

Mr. KELLEY of Michigan. Mr. Chairman, on line 10, page 26, I ask unanimous consent to correct the spelling of the word "maintain."

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

BUREAU OF CONSTRUCTION AND REPAIR.

Construction and repair of vessels: For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; steam steerers, steam capstans, steam windlasses, and all other auxiliaries; labor in navy yards and on foreign stations; purchase of machinery and tools for use in shops; carrying on work of experimental model tank and wind tunnel; designing naval vessels; construction and repair of yard craft, lighters, and barges; wear, tear, and repair of vessels afloat; general care and protection of the Navy in the line of construction and repair; incidental expenses for vessels and navy yards, inspectors' offices, such as photographing, books, pro-

fessional magazines, plans, stationery, and instruments for drafting room, and for pay of classified force under the bureau; for hemp, wire, iron, and other materials for the manufacture of cordage, anchors, cables, galleys, and chains; specifications for purchase thereof shall be so prepared as shall give fair and free competition; canvas for the manufacture of sails, awnings, hammocks, and other work; interior appliances and tools for manufacturing purposes in navy yards and naval stations; and for the purchase of all other articles of equipment at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; naval signals and apparatus, other than electric, namely, signals, lights, lanterns, running lights, and lamps and their appendages for general use on board ship for illuminating purposes; and oil and candles used in connection therewith; bunting and other materials for making and repairing flags of all kinds; for all permanent galley fittings and equipment; rugs, carpets, curtains, and hangings on board naval vessels, \$22,500,000: *Provided*, That the amount of money to be expended from the appropriation "Construction and repair of vessels" for the restoration, preservation, and maintenance of the naval brig *Niagara* in the city of Erie, Pa., including the construction of suitable facilities for anchoring said vessel and properly preserving it for historical purposes shall not exceed \$10,000: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, watchmen (ship keepers), and messenger service in navy yards, naval stations, and offices of superintending naval constructors for the fiscal year ending June 30, 1922, shall not exceed \$3,450,000.

Mr. BUTLER. Mr. Chairman, was there any reduction in the amount in this paragraph?

Mr. KELLEY of Michigan. There was a reduction of \$50,000.

Mr. BUTLER. That is because of the reduction in the amount of the appropriation for the men—they were only appropriating for 100,000 men.

Mr. KELLEY of Michigan. Yes; and the slowing up of the building program, which would reduce it a little more.

The Clerk read as follows:

Pay, Naval Academy: Pay of professors and others, Naval Academy: Pay of professors and instructors, including one professor as librarian, \$385,000.

Mr. CONNALLY. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee are these professors naval officers or civilians?

Mr. KELLEY of Michigan. They are civilians.

The Clerk read as follows:

One swordmaster, \$1,000; assistants—1 \$1,700, 1 \$1,500; head master in physical training, \$2,200; instructors in physical training—1 \$2,100, 2 at \$2,000 each, 7 at \$1,900 each; assistant librarian, \$2,500; cataloger, \$1,800; 2 shelf assistants, at \$1,400 each; secretary of the Naval Academy, \$2,750; clerks—2 at \$2,100 each, 2 at \$1,900 each, 2 at \$1,800 each, 9 at \$1,600 each, 4 at \$1,400 each, 23 at \$1,300 each, 7 at \$1,200 each; repair men or seamstresses, \$1,000; surveyor, \$1,700; services of choirmaster and organist at chapel, \$1,700; captain of the watch, \$1,600; second captain of the watch, \$1,500; 30 watchmen, at \$1,400 each; 5 telephone switchboard operators, at \$340 each; mail messenger, \$1,200; in all, \$161,350.

Mr. BRITTEN. Mr. Chairman, I desire at the request, by telegraph, of my colleague, SYDNEY MUDD, now in California, to offer an amendment on line 13, page 31, by changing the amount, \$2,750, as the salary of the secretary of the Naval Academy, to \$3,000.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 13, after the word "Academy," strike out the figures "\$2,750" and insert the figures "\$3,000."

Mr. BLANTON. Mr. Chairman, I make the point of order on the amendment.

Mr. BRITTEN. Will the gentleman reserve the point of order?

Mr. BLANTON. To carry out the consistent policy of the gentleman from Illinois, I am making the point of order. It is a change of statutory salary by increasing it, and it is not authorized by law.

Mr. BRITTEN. I think the gentleman is correct. But the matter was called to the attention of the Committee on Appropriations, and it developed that the gentleman was getting less money than his assistant.

Mr. BLANTON. I did not want the gentleman's colleague to put him in an inconsistent attitude before the House and the country.

Mr. BRITTEN. I am willing to be inconsistent in so far as this request comes from my colleague. I think that the members of the Committee on Appropriations, to whose attention this matter was brought, realized that an injustice was being done there, and I have merely attempted to remedy it.

Mr. BLANTON. The gentleman from Wyoming being absent, I want to protect the committee.

Mr. MADDEN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is the discretion of the Chair to hear the gentleman from Illinois on the point of order if he desires to discuss it.

Mr. BRITTEN. I do not.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

In all, Naval Academy, exclusive of public works, \$2,273,595.83.

Mr. KELLEY of Michigan. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15975, the naval appropriation bill, and had come to no resolution thereon.

SPEAKER PRO TEMPORE FOR SUNDAY FEBRUARY 13, 1921.

The SPEAKER appointed Mr. FLOOD to preside over the House on Sunday, February 13, 1921, at the memorial exercises for the late Senator MARTIN.

DAILY HOUR OF MEETING.

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent that for next week, after to-morrow, the daily hour of meeting of the House shall be 11 o'clock a. m.

The SPEAKER. The gentleman from Illinois asks unanimous consent that next week, beginning Monday, the House shall meet at 11 o'clock a. m. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, a good deal has been said about what is known as packer legislation. Does the gentleman know whether that bill will probably be considered next week?

Mr. MANN of Illinois. I do not.

Mr. BLANTON. Mr. Speaker, reserving the right to object, as I understand it, we have one more appropriation bill, the fortification bill, which is a short bill, and then we will be through with the supply bills. The Senate has yet to act on practically all of them. Does the gentleman from Illinois think that we will serve any good interest by meeting here and working ourselves to death on other legislation, except important legislation, and having it all go over there and die in a pigeon-hole, as it usually does?

Mr. MANN of Illinois. I will say to the gentleman from Texas, after a rather long experience in the House and a fair knowledge of the situation at this time of the session, that it will keep the House busy to finish the business that must be finished before the 4th of March, and it will either be necessary to meet regularly at 11 o'clock in the morning, or possibly earlier, or to stay here late at night.

Mr. BLANTON. If it is necessary I am willing to meet here at 9 o'clock.

Mr. MANN of Illinois. Very likely it will be necessary to do both. The appropriation bills will soon be back from the Senate, and under the new rule of the House no one knows how much time will be occupied in the consideration of those measures.

Mr. WINGO. Is the gentleman prepared to advise us as to what will probably come up after we get through with the fortification bill, which I understand is to follow this one?

Mr. MANN of Illinois. The District of Columbia appropriation bill conference report is expected to be reported on Monday. That will be considered, I presume, very early. I understand there are several conference reports ready for consideration now.

Mr. WINGO. And it is intended to take them up if they are ready?

Mr. MANN of Illinois. I am largely guessing at this. I make this request at the request of the gentleman from Wyoming [Mr. MONDELL]. I did not inquire from him just what his program will be.

Mr. WINGO. I am not opposed to it. I recognize that we ought to continue meeting at 11 o'clock in the morning. I have suggested to gentlemen that there will not be any legislation much after midnight of March 3, that there will be effort to prevent, as far as parliamentary power will permit, any legislation after that hour, as I understand it.

Mr. MANN of Illinois. There never is any legislation after that time.

Mr. WINGO. Oh, conference reports come in here.

Mr. MANN of Illinois. Yes; and they will very likely continue to come in, but as a rule the House is then proceeding practically by unanimous consent, because on the 4th of March, until 10 o'clock or so in the morning, there is never a quorum present.

Mr. McCLINTIC. Mr. Speaker, in view of the statement made by the gentleman from Texas, that we meet at 9 o'clock, does not the gentleman from Illinois think he should amend his request and have the House meet at 9 o'clock?

Mr. MANN of Illinois. I do not think it would accommodate the House to meet at 9 o'clock.

Mr. BLANTON. The gentleman from Texas works most of the night and most of the day, he will say to the gentleman from Oklahoma.

Mr. MANN of Illinois. Let me make this suggestion to my friends on the other side of the House who are active about

these matters, and I like to see that activity. I was Republican leader of the House for eight years. During all of that time the request of the majority leader as to the time when the House should meet was never objected to by me. I think it is the duty of the majority side of the House to determine what legislation shall be brought before the House, and when the House shall meet and when it shall adjourn. I think that is part of the responsibility of the majority, and I never was lying down to be walked over as a member of the minority either.

Mr. WINGO. There is no disposition on this side to break any of the precedents in that respect.

Mr. McCLINTIC. Mr. Speaker, the reason I made the reservation was to ask the gentleman for information relative to the packer legislation. I do not intend to object, I never have objected, and I hope that nobody else will object.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 15344. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1922, and for other purposes.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WEBSTER, at the request of Mr. MILLER, for the day, on account of sickness.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. WELTY withdrew from the files of the House, without leaving copies, the papers in the case of Eratus Manahan, H. R. 4569, Sixty-sixth Congress, no adverse report having been made thereon.

ADJOURNMENT.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Sunday, February 13, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

409. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination of Illinois River and Lake Depue, at Depue, Ill.; to the Committee on Rivers and Harbors.

410. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination of Tualatin River, Oreg.; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DOWELL, from the Committee on Elections No. 3, submitted a report (No. 1319) on the contested-election case of James Wickersham v. Charles A. Sulzer and George B. Grigsby, which report was referred to the House Calendar.

Mr. NOLAN, from the Committee on Patents, to which was referred the bill (H. R. 15662) to extend temporarily the time for filing applications for letters patent, for taking actions in the United States Patent Office with respect thereto, for the reviving and reinstatement of applications for letters patent, and for other purposes, reported the same without amendment, accompanied by a report (No. 1320), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 15996) for the relief of Joseph H. Tavenner; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 14881) granting a pension to George J. Jarchow; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANTHONY: Joint resolution (H. J. Res. 469) directing the Secretary of the Navy to turn over certain obsolete sea-craft to the Air Service of the Army and directing the Chief of the Air Service of the Army to conduct extensive tests on same to further study and development of aerial attack on sea-craft; to the Committee on Naval Affairs.

By Mr. HAYDEN: Concurrent resolution (H. Con. Res. 75) providing for a joint committee on the budget; to the Committee on Rules.

By Mr. FLOOD: Resolution (H. Res. 680) requesting certain information from the Secretary of War; to the Committee on Military Affairs.

By Mr. HAYDEN: Resolution (H. Res. 681) providing for the repeal of House resolution 324 (adopted June 1, 1920), and for other purposes; to the Committee on Rules.

By Mr. YOUNG of North Dakota: Resolution (H. Res. 682) providing for investigation of charges of P. E. Byrne concerning the Commissioner of the General Land Office; to the Committee on Rules.

By the SPEAKER (by request): Memorial from the Legislature of the State of Washington requesting that Congress put a tariff on imported eggs; to the Committee on Ways and Means.

By Mr. MAYES: Memorial of the Legislature of the State of Utah, relating to proposed Federal reclamation project on Green River, in that State; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislature of the State of Utah, asking for increased import duties on lead; to the Committee on Ways and Means.

By Mr. STINESS: Memorial of the Legislature of the State of Rhode Island, opposing the passage of the Smith-Towner bill; to the Committee on Education.

By Mr. WELLING: Memorial of the Legislature of the State of Utah, favoring increased import duties on lead; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Utah, relating to proposed reclamation project on Green River; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislature of the State of Utah, favoring appropriation for survey of public lands in Utah; to the Committee on the Public Lands.

By Mr. YOUNG of North Dakota: Memorial of the Legislature of the State of North Dakota, requesting the United States Congress to pass an act declaring the Red River of the North a nonnavigable stream; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of North Dakota praying for relief for entrymen on the Standing Rock Indian Reservation by extending time for payment for same beyond that given by the Department of the Interior in their Circular No. 680; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DICKINSON of Missouri: A bill (H. R. 16087) granting a pension to Minnie J. Cogle; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 16088) for the relief of Robert T. Jones; to the Committee on Claims.

By Mr. WATKINS: Concurrent resolution (H. Con. Res. 74) authorizing the payment to Hampton V. Ricks of \$1,440, as messenger to the Joint Committee on Revision of the Laws in the Sixtieth Congress; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5712. By the SPEAKER (by request): Petition of Linndale Presbyterian Church, Cleveland, Ohio, protesting against the recognition of the Irish republic by the United States Government in accordance with the wishes of sympathizers of the Sinn Fein; to the Committee on Foreign Affairs.

5713. By Mr. BARBOUR: Petition of the Tulare (Calif.) Grange, No. 198, in support of the farm-loan act; to the Committee on Banking and Currency.

5714. By Mr. BEGG: Petition of citizens of Frank, Seneca County, Ohio, protesting against the Smith-Towner bill; to the Committee on Education.

5715. By Mr. BROOKS of Pennsylvania: Petition of East Prospect Cigar Co., of East Prospect, Pa., opposing the proposed increased tariff on imported leaf tobacco; to the Committee on Ways and Means.

5716. By Mr. CURRY of California: Petition of citizens and organizations of Vallejo and Sacramento, Calif., opposing the passage of the Smith-Towner bill; to the Committee on Education.

5717. By Mr. DALLINGER: Petition of the Roger Casement Council of the American Association for the Recognition of the Irish Republic, of Cambridge, Mass., in opposition to the abrogation of the debt owed the United States by Great Britain, and praying for the recognition of the Irish republic; to the Committee on Foreign Affairs.

5718. Also, petition of the Arlington, Mass., Council No. 109, Knights of Columbus, opposing the passage of the Smith-Towner bill; to the Committee on Education.

5719. By Mr. FULLER: Petition of Pope M. Long, of Cordova, Ala., for a protective tariff duty on graphite; to the Committee on Ways and Means.

5720. Also, petition of Hermea H. Hettler Lumber Co., of Chicago, Ill., opposed to the passage of the Federal live stock bill (S. 3944), also Senate bill 4828; to the Committee on Agriculture.

5721. Also, petition of J. Ed Johnson and 79 other citizens of De Kalb, Ill., favoring amendment of the Volstead Act; to the Committee on the Judiciary.

5722. Also, petition of sundry citizens of Peru and La Salle, Ill., favoring the repeal of the tax on the use of motor boats and yachts; to the Committee on Ways and Means.

5723. Also, petition of the Belvidere, Ill., Council No. 735 Knights of Columbus, protesting against the passage of the amended Smith-Towner bill; to the Committee on Education.

5724. Also, petition of the National Consumers' League, favoring the passage of the Gronna bill for the control of the packing industry; to the Committee on Agriculture.

5725. Also, petition of L. S. Holderman, Mrs. Nellie Rumble, Miss C. M. Dean, Mrs. Anna Aldrich, Mrs. Jennie Pederson, and Miss F. E. Ward, all of Morris City, Ill., protesting against the passage of the Capper-Fess bills (H. R. 12652 and S. 2950); to the Committee on Education.

5726. By Mr. GALLIVAN: Resolutions adopted by 700 delegates of the Knights of Columbus, representing various cities and towns of metropolitan Boston, at a meeting held at St. Mary's Theater, Boston, Mass., February 2, 1921, under the auspices of the North End Council, Knights of Columbus, John J. Dwyer, grand knight, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5727. Also, petition of the Commonwealth Trust Co., Boston, Mass., urging early and favorable action on the Nolan bill (H. R. 15662); to the Committee on Patents.

5728. By Mr. KING: Petition of John J. Goff and 11 other citizens of Quincy, Ill., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5729. Also, petition of C. T. Martin and 14 others, of Quincy, Ill., favoring beer and light wines and protesting against the Sunday blue laws; to the Committee on the Judiciary.

5730. By Mr. LAMPERT: Petition of citizens of Calumet County, Wis., protesting against the so-called Smith-Towner bill; to the Committee on Education.

5731. By Mr. LINTHICUM: Petition of Merchants & Manufacturers' Association; Lyon, Conklin & Co.; and Maryland Casualty Co., all of Baltimore, Md., opposing live-stock commission bill and Calder bill; to the Committee on Agriculture.

5732. Also, petition of Louis L. Schwarz, of Baltimore, Md., favoring turnover sales tax; to the Committee on Ways and Means.

5733. Also, petition of Frederick A. Savage, Baltimore, Md., favoring increased appropriation for Navy and Naval Reserves; to the Committee on Appropriations.

5734. Also, petition of the August Maag Co., Baltimore, Md., opposing House bill 15420; to the Committee on Coinage, Weights, and Measures.

5735. Also, petitions of Alumnae Association of Mount St. Agnes; St. Gerard Young Men's Association; Robert Biggs; Rev. Linus Brugger; Andrew J. Spies; S. G. Broglie; E. R. Dyer, D. D.; Alumni Association, Loyola College; Rev. John F. Toohey; Mrs. Pitsinger; Mrs. Alice J. Reilly, all of Baltimore, Md., opposing the Smith-Towner bill; also from R. J. Glegg and John Frenkenberger, both of Baltimore, Md., favoring the Smith-Towner bill; to the Committee on Education.

5736. Also, petition of Mrs. Mary B. S. Carroll, Baltimore, Md., opposing daylight savings; to the Committee on Interstate and Foreign Commerce.

5737. Also, petition of Joseph E. Johnston and L. S. Randolph, both of Baltimore, Md., favoring the Nolan bill; to the Committee on Patents.

5738. Also, petition of Heineman Bros., Baltimore, Md., protesting against increase in duty on wrapper tobacco; to the Committee on Ways and Means.

5739. Also, petition of Emerson Drug Co., Baltimore, Md., favoring protective tariff on dyes; to the Committee on Ways and Means.

5740. By Mr. McARTHUR: Petition of the council of the city of Portland, Oreg., in behalf of a statute authorizing the Interstate Commerce Commission to fix the price of coal; to the Committee on Interstate and Foreign Commerce.

5741. By Mr. O'CONNELL: Petition of the Taylor-Wharton Iron & Steel Co., High Bridge, N. J., urging the passage of the Winslow bill (H. R. 15551); to the Committee on Interstate and Foreign Commerce.

5742. By Mr. RAKER: Petition of Lena Rucker, Mabel V. Breeze, and Mrs. Mabel Burt, all of Chico, Calif., urging the passage of the Fess bill; to the Committee on Education.

5743. Also, petition of Ennis-Brown Co., of San Francisco, Calif., relative to the 1-cent drop-letter rate; to the Committee on the Post Office and Post Roads.

5744. Also, petition of Asti Grape Products Co., of San Francisco, Calif., protesting against the tax on grape juice and urging its removal; to the Committee on Ways and Means.

5745. Also, petition of Los Angeles Chamber of Commerce and Alex J. Cook, of San Francisco, Calif., protesting against any cut in the State Department's estimate for the Consular Service appropriation; to the Committee on Appropriations.

5746. Also, petition of Charles Nelson Co. and C. T. Bliss, vice president and general manager of Lake Tahoe Railway & Transportation Co., both of San Francisco, Calif., relative to the salaries of employees of the Steamboat-Inspection Service; to the Committee on the Merchant Marine and Fisheries.

5747. Also, petition of employees of the United States Indian school at Greenville, Calif., urging that the \$240 bonus be replaced on the legislative bill; to the Committee on Appropriations.

5748. Also, petition of National Pepsin Gum Co., of San Francisco, Calif., relative to the tax on chewing gum; to the Committee on Ways and Means.

5749. By Mr. RANDALL of Wisconsin: Petition of residents of Edgerton, Wis., requesting an amendment to the Volstead enforcement law, permitting the manufacture and sale of beer and light wines, and protesting against the McKellar bill; to the Committee on the Judiciary.

5750. By Mr. ROWAN: Petition of Castilian Council of the Knights of Columbus, of New York State, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5751. By Mr. STINESS: Petition of Conseil No. 41, l'Union St. Jean Baptiste d'Amerique, of Providence, R. I., and the St. Michaels Branch, No. 707 (Rhode Island), of the Ladies' Catholic Benevolent Association, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5752. By Mr. TEMPLE: Petition of the American Association for the Recognition of the Irish Republic, of Charleroi, Pa., supporting a resolution recognizing Ireland as a nation and a republic; to the Committee on Foreign Affairs.

5753. By Mr. VAILE: Petition of National Council of Catholic Men, of Colorado, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

5754. By Mr. ZIHLMAN: Petition of Everhart Post, No. 51, American Legion, Department of Maryland, favoring all legislation for the benefit of ex-service men; to the Committee on Interstate and Foreign Commerce.

HOUSE OF REPRESENTATIVES.

SUNDAY, February 13, 1921.

The House met at 12 o'clock noon and was called to order by Mr. Flood as Speaker pro tempore.

The Chaplain Emeritus, Rev. Henry N. Couden, D. D., offered the following prayer:

Once more, our Father in Heaven, Thou hast brought us face to face with the most profound mystery. The universe is a mystery, life is a mystery; but when the eye that looked out with intelligence, the hand that clasped with warmth, the lips that spoke with sympathy and love are still, we are overwhelmed with grief and sorrow, and stand helpless before the prostrate form. But faith, hope, love, which are mysteries, whisper consolation.

Some men live for selfish aggrandizement; others live for the good that they can do. The former have no interest in the public welfare, the latter live for the public weal. Such a man was Senator MARTIN of Virginia. He loved his State and Nation and poured out his substance for them. The angels of Faith, Hope, Love point to immortal life where he lives, wills, loves. He may not come to us, but we shall go to him and behold his glory, look into his radiant eyes, feel the touch of his hand, hear his cheering voice again. Hence we thank Thee for his life, deeds, and public service. May it be ours to emulate his virtues and cherish his memory. Comfort his friends and loved ones with immortal hope; in Jesus Christ, our Lord, Amen.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. MONTAGUE] will please take the chair.

Mr. MONTAGUE took the chair as Speaker pro tempore.

THE JOURNAL.

Mr. MOORE of Virginia. Mr. Speaker, I ask unanimous consent that the reading of the Journal be deferred until to-morrow.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent that the reading of the Journal be deferred until to-morrow. If there be no objection it will be so ordered.

There was no objection.

THE LATE SENATOR MARTIN OF VIRGINIA.

The SPEAKER pro tempore. The Clerk will report the special order for the day.

The Clerk read as follows:

On motion of Mr. FLOOD, by unanimous consent, *Ordered*, That Sunday, February 13, 1921, at 12 o'clock noon, be set apart for addresses on the life, character, and public service of Hon. THOMAS S. MARTIN, late a Senator from the State of Virginia.

Mr. JAMES of Virginia. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The gentleman from Virginia offers a resolution which the Clerk will report.

The clerk read as follows:

House Resolution 683.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. THOMAS STAPLES MARTIN, late a Senator from the State of Virginia.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. FLOOD. Mr. Speaker, we are here to-day to pay a tribute of love and reverence to the memory of a truly great American—the late Senator THOMAS STAPLES MARTIN of Virginia.

The story of the life and the appreciation of the worth of this great man has found a deep and an abiding lodgment in the hearts and minds of the people of this country.

As year by year he was subjected in the commanding position he occupied in the Senate of the United States to the closest public scrutiny, he grew in the confidence of his fellow citizens until at the time of his death, from Maine to Arizona, from Washington to Florida, he was regarded as one of the most conscientious, intelligent, and able senators who had ever adorned the halls of Congress with his presence, and the people all over the country were satisfied that their interests and the interests and honor of their Nation were safe as long as THOMAS S. MARTIN was the leader of the majority party in the Senate.

Senator MARTIN was born in Albemarle County, Va., July 20, 1847, and lived in that county, so fruitful of great men, all of his life.

At the age of 16 he entered the Virginia Military Institute, and with the battalion of cadets from this glorious institution rendered valuable military service to his State in the Confederate War.

Virginia took her position from the first upon what she conceived to be fundamental truths, and it was an instinct with her that to surrender these was to vitiate and falsify her organic life. Upon this lofty plane our forefathers built up the fabric of their beloved Commonwealth. Virginia held these rights as sacred and not academic, and when they were threatened 80,000 of her sons rushed to their defense in a single week. It was in this spirit of patriotic duty and loyalty to a principle that this beardless boy became a soldier of the Confederacy. In this capacity, as always throughout his life, he discharged his duty like a man and a hero.

When the war ended he entered the University of Virginia, completed his course of studies and began the practice of law. To his profession he carried ambition, a high integrity of character, and an inherent love of truth and right. These qualities, combined with a rapid and accurate power of analysis, keen